THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES 1934

VOLUME 17 NUMBER 41

Washington, Thursday, February 28, 1952

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

ECONOMIC STABILIZATION AGENCY; OFFICE OF WAGE STABILIZATION

Effective upon publication in the FEDERAL REGISTER, § 6.155 (c) (8) is amended to read as follows:

§ 6.155 *Economic Stabilization Agency.* * * *

(c) *Office of Wage Stabilization.* * * *

(8) The Chairman of the National Enforcement Commission of the Wage Stabilization Board.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] ROBERT RAMSPECK,
Chairman.

[F. R. Doc. 52-2266; Filed, Feb. 27, 1952; 8:47 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; OREGON, WASHINGTON, AND PUERTO RICO

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units and investment limits for the counties identified below are determined to be as herein set forth. The average values and investment limits heretofore established for said counties, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values and investment limits set forth below for said counties.

OREGON

County	Average value	Investment limit
Baker	$24,000	$12,000
Benton	25,000	12,000
Lake	20,000	12,000
Lincoln	15,000	12,000
Linn	25,000	12,000
Malheur	25,000	12,000
Morrow	20,000	12,000
Wallowa	24,000	12,000

WASHINGTON

Thurston	$15,000	$12,000
Walla Walla	22,000	12,000

PUERTO RICO

Angeles	$15,000	$12,000
Manati	16,000	12,000

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (i). Interprets and applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a), 1018 (b))

Issued this 21st day of February 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-2265; Filed, Feb. 27, 1952; 8:47 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 927—MILK IN THE NEW YORK METROPOLITAN MILK MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED

§ 927.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and

(Continued on p. 1745)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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CODIFICATION GUIDE—Con.

of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making effective not later than February 25, 1952, this order amending the said order, as amended. This action is necessary in the public interest in order to provide a workable method of establishing a Class I-A price for March. Any further delay in the effective date of this order, as amended, and as hereby further amended, will seriously impair orderly marketing of milk in the New York metropolitan milk marketing area. The provisions of the said amendatory order impose no obligations on regulated parties which are significantly different from those heretofore applicable and reasonably to be contemplated by such parties. Reasonable time under the circumstances has been afforded persons affected to prepare for its effective date. Therefore, it would be impracticable, unnecessary, and contrary to the public interest to delay the effective date of this amendatory order 30 days after its publication in the FEDERAL REGISTER (see sec. 4 (c) Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order, as amended, which is marketed within the New York metropolitan milk marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (December 1951), were engaged in the production of milk for sale in the said marketing area.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the New York metropolitan milk marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

1. Amend § 927.40 (a) by deleting subparagraph (1) thereof and substituting the following:

(1) Divide (with the result expressed to three decimal places) the monthly wholesale price index for all commodities in the second preceding month as reported on a 1947–1949 base by the Bureau of Labor Statistics, United States Department of Labor, by the average of the monthly indexes reported on the same base for the year 1948: *Provided,* That the resulting figure so determined for use in the computation of the Class I-A price for each of the months of March and April 1952 shall not be less than 1.038 or more than 1.088.

2. Amend § 927.46 (a) by deleting subparagraph (1) thereof and substituting the following:

(1) The monthly wholesale price index for all commodities in the preceding month as reported on a 1947–1949 base by the Bureau of Labor Statistics, United States Department of Labor, and the resulting index determined pursuant to § 927.40 (a) (1) multiplied by 100.

3. Amend § 927.45 to read as follows:

§ 927.45 *Use of equivalent price or index.* If for any reason a price or index specified in §§ 927.40 through 927.46 for use in computing and announcing class prices or for any other purpose is not reported or published in the manner therein described, the market administrator shall use a price or index determined by the Secretary to be equivalent to or comparable with the price or index specified.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 25th day of February 1952, to be effective immediately.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 52-2293; Filed, Feb. 27, 1952; 8:54 a. m.]

PART 927—MILK IN THE NEW YORK METROPOLITAN MILK MARKETING AREA

DETERMINATION OF EQUIVALENT INDEX

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and to the applicable provisions of the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area (7 CFR Part 927), hereinafter referred to as the "order", it is hereby found and determined as follows:

1. The wholesale price index on a 1947–49 base for all commodities in January 1952 and the monthly indexes on the same base for the year 1948 probably will not be reported by the Bureau of Labor Statistics, United States Department of Labor by the time such indexes are required under the order to be used in computation of the price of Class I-A milk for March 1952.

2. The wholesale price index for all commodities reported by the Bureau of Labor Statistics, United States Department of Labor, on a 1926 base for the month of December 1951, and used in computing the Class I–A price for February 1952, was 177.8. Corresponding monthly indexes for each of the last 5 months in 1951 have varied only slightly from the index for December 1951. Weekly indexes during January 1952 average approximately the same as in December 1951.

3. Accordingly, the wholesale price indexes used pursuant to §§ 927.40 (a) (1) and 927.46 (a) (1) of the order in computing the Class I-A price for February 1952 are the indexes hereby determined to be equivalent to and comparable with the wholesale price indexes specified in the order for use in computing the Class I–A price for March 1952 in the event that such latter indexes are not actually reported by February 25, 1952.

4. Notice of proposed rule making, public procedure thereon, and 30 days prior notice of the effective date hereof are impractical, unnecessary, and contrary to the public interest in that it is essential and imperative that the Class I–A price for March 1952 be computed and announced by not later than February 25, 1952. Failure to make such announcement would interfere with the orderly marketing of milk in the New York metropolitan milk marketing area. The issuance of this determination does not require of persons affected substantial or extensive preparation prior to the effective date hereof.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 25th day of February 1952 to become effective immediately.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 52-2294; Filed, Feb. 27, 1952; 8:54 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes

[Regs. 111, 130; T. D. 5885]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

PART 40—EXCESS PROFITS TAXES; TAXABLE YEARS ENDING AFTER JUNE 30, 1950

TAXABILITY OF LIFE INSURANCE COMPANIES

In order to conform Regulations 111 (26 CFR Part 29) to section 121 (g) (3) of the Revenue Act of 1950 (81st Cong., 2d Sess.) approved September 23, 1950, and in order to conform Regulations 111 and Regulations 130 (26 CFR Part 40) to section 336 of the Revenue Act of 1951 (82d Cong., 1st sess.), approved October 20, 1951, relating to taxability of life insurance companies, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately before § 29.201–1 the following:

SEC. 121. INCREASE IN RATE OF CORPORATION INCOME TAXES (REVENUE ACT OF 1950, APPROVED SEPTEMBER 23, 1950).

* * * * *

(g) *Technical amendments.*

* * * * *

(3) Effective with respect to taxable years beginning after June 30, 1950, and with respect to taxable years beginning on January 1, 1950, and ending on December 31, 1950, section 201 (a) (1) (relating to tax on life insurance companies) is hereby amended by striking out "at the rates provided in section 13 or section 14 (b) and in section 15 (b)" and inserting in lieu thereof "computed as provided in section 13 (b) and in section 15 (b)".

SEC. 336. LIFE INSURANCE COMPANIES (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951).

(a) *Tax for 1951.* Section 201 (a) (1) (relating to imposition of tax on life insurance companies) is hereby amended by adding at the end thereof the following: "In lieu of the taxes imposed by the preceding sentence, there shall be levied, collected, and paid for taxable years beginning in 1951 upon the 1951 adjusted normal-tax net income (as defined in section 203A) of every life insurance company a tax equal to the sum of the following:

3¾ per centum of the amount thereof not in excess of $200,000, plus

6½ per centum of the amount thereof in excess of $200,000.

* * * * *

(c) *Technical amendments.*

* * * * *

(2) Section 201 (f) (relating to disallowance of double deductions) is hereby amended by striking out "or 203" and inserting in lieu thereof ", 203, or 203A".

(d) *Effective date.* The amendments made by this section shall be applicable to taxable years beginning in 1951.

PAR. 2. Section 29.201–1, as amended by Treasury Decision 5816, approved December 5, 1950, is further amended as follows:

(A) By striking from the first sentence in paragraph (a) the word "All" and inserting in lieu thereof the following: "Except as otherwise provided in § 29.203a–1 with respect to taxable years beginning in 1951, all".

(B) By striking the second sentence of paragraph (a) of said section and inserting in lieu thereof the following: "With respect to taxable years beginning before July 1, 1950 (other than the calendar year 1950) the normal tax is imposed on the adjusted normal-tax net income (as defined in section 202) and the surtax is imposed on the adjusted corporation surtax net income (as defined in section 203) at the rates provided in section 13 or section 14 (b) and in section 15 (b) as these sections existed prior to their amendment by the Revenue Act of 1950. With respect to taxable years beginning after June 30, 1950, and with respect to taxable years beginning on January 1, 1950, and ending on December 31, 1950, the normal tax is imposed on the adjusted normal-tax net income (as defined in section 202) and the surtax is imposed on the adjusted corporation surtax net income (as defined in section 203) computed as provided in section 13 (b) and in section 15 (b)."

(C) By adding at the end of paragraph (b) thereof the following: "For computation of the 1951 adjusted normal-tax net income from the normal-tax net income, see §§ 29.203a–1 and 29.203a–2."

(D) By striking from paragraph (c) "203" and inserting in lieu thereof "203A."

PAR. 3. Section 29.201–5 is amended by inserting after the first sentence thereof the following: "Interest paid is also one of the elements to be used in computing the amount of 'required interest' for purposes of determining the reserve interest credit provided in section 203A in the case of taxable years beginning in 1951. See § 29.203a–2."

PAR. 4. Section 29.201–6 is amended by inserting in the first sentence immediately preceding "certain reserves" the following: "and also for the purpose of determining required interest for taxable years beginning in 1951."

PAR. 5. Section 29.202–2 is amended by adding at the end thereof the following

paragraph: "For taxable years beginning in 1951, an amount equal to eight times the amount of the applicable adjustment provided in the preceding paragraph must be added to normal-tax net income as a factor in determining 1951 adjusted normal-tax net income."

PAR. 6. There is inserted immediately following § 29.203–1 the following:

SEC. 336. LIFE INSURANCE COMPANIES (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951).

* * * * *

(b) *Adjusted normal-tax net income for 1951.* Chapter 1 is hereby amended by inserting after section 203 the following new section:

SEC. 203A. 1951 ADJUSTED NORMAL-TAX NET INCOME.

(a) *1951 Adjusted normal-tax net income.* For the purposes of section 201, the term "1951 adjusted normal-tax net income" means the normal-tax net income plus eight times the amount of the adjustment for certain reserves provided in section 202 (c) and minus the reserve interest credit, if any, provided in subsection (b) of this section.

(b) *Reserve interest credit.* For the purposes of subsection (a), the reserve interest credit shall be an amount determined as follows:

(1) Divide the amount of the adjusted net income (as defined in subsection (c)) by the amount of the required interest (as defined in subsection (d)).

(2) If the quotient obtained in paragraph (1) is 1.05 or more, the reserve interest credit shall be zero.

(3) If the quotient obtained in paragraph (1) is 1.00 or less, the reserve interest credit shall be an amount equal to 50 per centum of the normal-tax net income.

(4) If the quotient obtained in paragraph (1) is more than 1.00 but less than 1.05, the reserve interest credit shall be the amount obtained by multiplying the normal-tax net income by 10 times the difference between the figures 1.05 and such quotient.

(c) *Adjusted net income.* For the purposes of subsection (b) (1), the term "adjusted net income" means the net income computed without any deduction for tax-free interest minus 50 per centum of the amount of the adjustment for certain reserves provided in section 202 (c).

(d) *Required interest.* For the purposes of subsection (b) (1), the term "required interest" means the total of—

(1) The sum of the amounts obtained by multiplying (A) each rate of interest assumed in computing the taxpayer's life insurance reserves by (B) the means of the amounts of the taxpayer's adjusted reserves computed at that rate at the beginning and end of the taxable year,

(2) 2 per centum of the reserve for deferred dividends, and

(3) Interest paid.

* * * * *

(d) *Effective date.* The amendments made by this section shall be applicable to taxable years beginning in 1951.

§ 29.203a–1 *Tax on life insurance companies for taxable years beginning in 1951.* (a) Section 201 (a), as amended by section 336 of the Revenue Act of 1951 (Pub. Law 183, 82d Cong.) provides that for taxable years beginning in 1951, the tax imposed on a life insurance company shall consist of a tax upon the 1951 adjusted normal-tax income of the company equal to 3¾ percent of the amount of such income not in excess of $200,000, plus 6½ percent of the amount of such income in excess of $200,000. The term "1951 adjusted normal-tax net income" means the normal-tax net income (consisting of net income, computed as provided in § 29.201–7, less the credit for partially tax-exempt interest allowed under section 26 (a) and less the credit for dividends received allowed under section 26 (b)) plus eight times the amount of the adjustment for certain reserves, computed as provided in section 202 (c) (see § 29.202–2) and minus the reserve interest credit, if any, provided in section 203A (b) (see § 29.203a–2). The reserve and other policy liability credit is not allowed for purposes of the computations of 1951 adjusted normal-tax net income.

(b) The tax imposed upon 1951 adjusted normal-tax net income by section 201 (a) is in lieu of the tax on adjusted normal-tax net income and the tax on adjusted surtax net income imposed by section 201 (a) for taxable years other than taxable years beginning in 1951.

§ 29.203a–2 *Reserve interest credit.* (a) In computing 1951 adjusted normal-tax net income, a reserve interest credit is allowed where the "adjusted net income" of the company is less than 105 percent of its required interest. For the purpose of computing the reserve interest credit, the term "adjusted net income" means the net income of the company without any deduction for tax-free interest otherwise allowed by section 201 (c) (7) (A), less 50 percent of the adjustment for certain reserves on contracts other than life insurance or annuity contracts provided in section 202 (c).

(b) The required interest for which a credit may be allowed consists of the total of:

(1) The sum of amounts obtained by multiplying each rate of interest assumed in computing life insurance reserves (see section 201 (c) (2) and § 29.201–4) by the means of the amounts of the adjusted reserves, as defined in section 201 (c) (3), computed at that rate at the beginning and the end of the taxable year;

(2) Two percent of the reserve for deferred dividends; and

(3) Interest paid.

(c) To determine the amount of the reserve interest credit, it is necessary to divide the amount of the adjusted net income by the amount of the required interest. If the adjusted net income is 100 percent or less of the required interest, the reserve interest credit is an amount equal to 50 percent of the normal-tax net income. If the adjusted net income is 105 percent or more of the required interest, the reserve interest credit is zero. If the adjusted net income is more than 100 percent and less than 105 percent of the required interest, the reserve interest credit is computed by multiplying the normal-tax net income by ten times the difference between 105 percent and the percentage established. Thus, if the adjusted net income of a life insurance company for the calendar year 1951 is $103,000 and the required interest for such year is $100,000, the adjusted net income is 103 percent of the required interest and the reserve interest credit, accordingly, is the normal-tax net income multiplied by 20 percent (10 times 2 percent, the difference between 105 percent and 103 percent).

(d) In determining the percentage of the adjusted net income to required interest for purposes of determining the reserve interest credit, the figures shall be computed to at least the nearest one-tenth of a percentage point.

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

PAR. 7. There is inserted immediately preceding § 40.433 (a)–1 the following:

SEC. 336. LIFE INSURANCE COMPANIES (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951).

* * * * *

(c) *Technical amendments.* (1) Section 433 (a) (1) (H) (relating to excess profits net income of life insurance companies) is hereby amended by changing the semicolon at the end thereof to a period and by inserting thereafter the following: "In the case of taxable years beginning in 1951, there shall be used, in lieu of the figure referred to in clause (i) of the first sentence of this subparagraph, the figure .87;".

* * * * *

(d) *Effective date.* The amendments made by this section shall be applicable to taxable years beginning in 1951.

PAR. 8. Section 40.433 (a)–2 is amended as follows:

(A) By inserting immediately before the period at the end of the first sentence of paragraph (h) of such section the following: "(as modified, in the case of a taxable year beginning in 1951, by the last sentence of such subparagraph)"; and

(B) By inserting in the second sentence of paragraph (h) of such section after "taxable year" the following: "(or, in the case of a taxable year beginning in 1951, by the figure 0.87)".

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

Because the rules set forth in this Treasury decision for determining the income and excess profits tax liability of life insurance companies are applicable primarily to taxable years beginning in 1951, such rules, to effectuate their purpose, should be available to taxpayers prior to March 15, 1952. Accordingly, it is considered to be impracticable to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of that act.

[SEAL] JOHN B. DUNLAP,
Commissioner of Internal Revenue.

Approved: February 21, 1952.

E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 52-2286; Filed, Feb. 27, 1952; 8:52 a. m.]

Subchapter C—Miscellaneous Excise Taxes

[Regs. 3; T. D. 5884]

PART 182—INDUSTRIAL ALCOHOL

TRANSFERS BY PIPELINE OF SPECIALLY DENATURED ALCOHOL TO PREMISES OF BONDED DEALERS

1. Regulations 3, "Industrial Alcohol" (26 CFR Part 182), approved March 6, 1942, are hereby amended as follows:

EQUIPMENT

DENATURING PLANTS

§ 182.98 *Pipelines.* Pipelines for the conveyance of alcohol to and from alcohol storage tanks, from such tanks to weighing or mixing tanks, and from mixing tanks to denatured alcohol storage tanks, if provided, and pipelines for the conveyance of liquid denaturants and denatured alcohol, shall be of a fixed and permanent character, constructed, secured, and exposed to view throughout their entire lengths, in conformity with the provisions of § 182.82. Pipelines for the conveyance of specially denatured alcohol to contiguous premises operated by the proprietor of the denaturing plant, pursuant to withdrawal permit, Form 1477 or Form 1485, and pipelines for the transfer of completely denatured alcohol to contiguous premises operated by the proprietor of the denaturing plant, shall be securely constructed and connected, and so arranged as to be exposed to view throughout their entire lengths: *Provided*, That such pipelines shall be equipped with a valve within the denaturing plant, in order that the same may be locked with a Government lock, when denatured alcohol is not being removed.

* * * * *

(53 Stat. 375, 467; 26 U. S. C. 3176, 3791. Interprets or applies 53 Stat. 318, 358, 365; 26 U. S. C. 2829, 3105, 3124)

SPECIALLY DENATURED ALCOHOL BONDED DEALERS' PREMISES

§ 182.102 *Tanks.* If the proprietor desires to receive specially denatured alcohol in tank cars, tank trucks, or by pipe line from a denaturing plant on contiguous premises operated by him, he must provide suitable storage tanks for the storage of the specially denatured alcohol so received by him. Each such tank must be constructed in the manner prescribed in § 182.99 and all openings affording access to the contents shall be equipped for locking. Each such tank must have plainly and legibly painted thereon the words "Specially Denatured Alcohol Storage Tank," followed by its serial number and capacity in wine gallons, and be equipped with a suitable measuring device, whereby the actual contents will be correctly indicated.

(53 Stat. 375, 467; 26 U. S. C. 3176, 3791. Interprets or applies 53 Stat. 318, 358, 365; 26 U. S. C. 2829, 3105, 3124)

OPERATION OF INDUSTRIAL ALCOHOL DENATURING PLANTS

APPROVED CONTAINERS

§ 182.730 *Pipelines*—(a) *Specially denatured alcohol.* Pipelines constructed in conformity with the provisions of § 182.98 will be considered as approved containers only for the purpose of transferring specially denatured alcohol from the denaturing plant to contiguous bonded dealer premises or manufacturing premises operated by the proprietor of the denaturing plant and covered by basic permit, Form 1476 or Form 1481, as the case may be. Specially denatured alcohol may not be thus transferred until receipt of appropriate withdrawal permit, Form 1477 or Form 1485. Specially denatured alcohol thus transferred shall be weighed or measured by volume in a tank equipped with suitable scales or a measuring device on the denaturing plant premises. The specially denatured alcohol will be weighed or measured and removed from the denaturing plant premises under the immediate supervision of the storekeeper-gauger. The valve in the pipeline shall be closed and locked with a Government lock at all times when it is not in use.

(b) *Completely denatured alcohol.* Completely denatured alcohol may be similarly transferred by pipeline, constructed in conformity with § 182.98, to contiguous premises operated by the proprietor of the denaturing plant in the same manner as specially denatured alcohol, in accordance with the provisions of paragraph (a) of this section, with the exception that a withdrawal permit is not required. Completely denatured alcohol may also be removed by pipeline for storage in tanks or other approved containers marked "Completely denatured alcohol—Storage" on adjacent premises owned or controlled by the proprietor of the denaturing plant, but when packaged it will be subject to the provisions of this part, the same as when packaged on denaturing plant premises, except that the registry number of the denaturing plant will not be marked on the packages.

(53 Stat. 375, 467; 26 U. S. C. 3176, 3791. Interprets or applies 53 Stat. 307, 355, 358, 360, 365; 26 U. S. C. 2808, 3070, 3105, 3108, 3109, 3114, 3124)

WITHDRAWAL OF SPECIALLY DENATURED ALCOHOL

§ 182.754 *General.* Specially denatured alcohol may be procured under appropriate permit by manufacturers using specially denatured alcohol, dealers in specially denatured alcohol, and the United States or any governmental agency thereof. Prospective permittees or manufacturers may procure samples of specially denatured alcohol, as provided in § 182.826. Specially denatured alcohol must be removed from denaturing plants in approved containers, including tank cars and tank trucks provided the consignee's premises are equipped with suitable storage tanks. Specially denatured alcohol may also be removed by pipeline to contiguous bonded dealer premises or manufacturing premises operated by the proprietor of the denaturing plant and covered by basic permit, Form 1476 or Form 1481, in accordance with the provisions of § 182.730 (a), if the receiving premises are equipped with suitable storage tanks. The exact contents of each package must be determined and the package marked in accordance with the regulations in this part. Specially denatured alcohol removed from denaturing plants (other than by pipeline) must be transported in accordance with § 182.677. The denaturer shall present the permit, Form 1477, 1485, 1486, or 1512, authorizing shipment, to the storekeeper-gauger prior to withdrawal. Withdrawal of specially denatured alcohol by bonded dealers and users will be made in accordance with § 182.754b or 182.754c, as the case may be. Withdrawals of specially denatured alcohol by the United States or governmental agency will be made in accordance with §§ 182.754d and 182.785.

(53 Stat. 375, 467; 26 U. S. C. 3176, 3791. Interprets or applies 53 Stat. 355, 358, 359, 360, 365; 26 U. S. C. 3070, 3105, 3108, 3109, 3114, 3124)

OPERATIONS BY DEALERS IN SPECIALLY DENATURED ALCOHOL

RECEIPT OF SPECIALLY DENATURED ALCOHOL

§ 182.811 *Railroad tank cars, tank trucks, or pipelines.* If the bonded dealer receives specially denatured alcohol in railroad tank cars, railroad siding facilities for the receipt of such tank cars must be provided at the bonded dealer's premises. Specially denatured alcohol received in tank cars, tank trucks, or by pipeline must be immediately deposited in storage tanks constructed in conformity with the provisions of § 182.102. When so deposited, the formula of the specially denatured alcohol shall be plainly marked on the storage tank. Form 1473 will be disposed of in accordance with § 182.811a.

(53 Stat. 375, 467; 26 U. S. C. 3176, 3791. Interprets or applies 53 Stat. 355, 358, 365; 26 U. S. C. 3070, 3105, 3124)

OPERATIONS BY USERS OF SPECIALLY DENATURED ALCOHOL

RECEIPT OF DENATURED ALCOHOL

§ 182.835 *Railroad tank cars, tank trucks, or pipelines.* If the permittee receives specially denatured alcohol in railroad tank cars, railroad siding facilities for the receipt of such tank cars must be provided at the permittee's premises. Specially denatured alcohol received in tank cars, tank trucks, or by pipeline must be immediately deposited in storage tanks constructed in conformity with the provisions of § 182.99. When so deposited the formula of the specially denatured alcohol shall be plainly marked on the storage tank. Form 1473 will be disposed of in accordance with § 182.835a.

(53 Stat. 375, 467, 26 U. S. C. 3176, 3791. Interprets or applies 53 Stat. 355, 358, 365; 26 U. S. C. 3070, 3105, 3124)

2. The purpose of the amendments is to authorize pipeline removals of specially denatured alcohol from a denaturing plant to contiguous bonded dealer's premises operated by the denaturer, consistent with existing authority to make such transfers by pipeline to contiguous manufacturing premises operated by the denaturer.

3. It is found that compliance with the notice, public rule-making procedure, and effective date requirements of the Administrative Procedure Act (5 U. S. C. 1001, et seq.), is unnecessary in connection with the issuance of these regulations for the reason that the changes made are of a liberalizing character.

4. This Treasury decision shall be effective immediately upon the date of its publication in the FEDERAL REGISTER.

[SEAL] JOHN B. DUNLAP,
Commissioner of Internal Revenue.

Approved: February 21, 1952.

E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 52-2284; Filed, Feb. 27, 1952; 8:51 a. m.]

[T. D. 5883; regulations 44]

PART 314—TAXES ON GASOLINE, LUBRICATING OIL AND MATCHES

INCREASED RATE OF TAX ON GASOLINE AND FLOOR STOCKS TAX ON GASOLINE

EDITORIAL NOTE: In F. R. Doc. 52-1935, appearing at page 1499 of the issue for Saturday, February 16, 1952, Paragraph 3 should read as follows:

PAR. 3. Section 314.66 is renumbered as § 314.75.

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 7, Amdt. 15]

CPR 7—RETAIL CEILING PRICES FOR CERTAIN CONSUMER GOODS

DELETION OF CERTAIN REPORTING PROVISIONS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 15 to Ceiling Price Regulation 7 (16 F. R. 1697) is hereby issued.

STATEMENT OF CONSIDERATIONS

The accompanying amendment to Ceiling Price Regulation 7 eliminates those provisions of section 53 which require retailers to prepare current records of initial percentage markups or current records of gross margins and to make regular reports of increases to the Office of Price Stabilization. Experience in the administration of Ceiling Price Regulation 7 has shown that the value to the OPS of the information supplied by these reports is not great enough to justify the difficulties encountered by retailers in preparing these current reports. The elimination of these record keeping and reporting provisions makes full compliance with the regulation less burdensome for retailers without in any way lessening the efficiency of the regulation in stabilizing prices at the retail level. Retention of those provisions of section 53 requiring retailers to report and preserve for inspection base period records of initial markups or gross margins insures the OPS a yardstick by which to measure future increases or decreases.

In view of the nature of this amendment, the Director has not found it practicable or necessary to consult formally with industry representatives. However, various trade or industry representatives have made individual recommendations which have been considered.

AMENDATORY PROVISIONS

1. Section 53 is amended as follows: Delete paragraphs 53 (a) (1) (ii), 53 (a) (2) (ii), 53 (b) (1) (ii) and 53 (b) (2) (ii).

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

This amendment shall become effective on the 3d day of March 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 27, 1952.

[F. R. Doc. 52-2395; Filed, Feb. 27, 1952; 4:00 p. m.]

[Ceiling Price Regulation 22, Amdt. 42]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

REDEFINITION OF APPAREL EXEMPTION

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.) Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 42 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment redefines the apparel exemption in paragraph (f) of Appendix A so that plastic dipped fabric gloves will no longer be exempted from the coverage of CPR 22. Heretofore, all apparel articles made of plastic, including plastic dipped fabric gloves, were covered by CPR 45, Revision 1, the Apparel Manufacturers' General Ceiling Price Regulation. On the other hand, rubber dipped fabric gloves have been covered by CPR 22. In view of the fact that the processes involved in the manufacturing of both articles are substantially the same, it has been determined that in the interests of effective price control, both should be covered by the same regulation.

An amendment to CPR 45, Revision 1, being issued concurrently with this amendment, exempts plastic dipped fabric gloves from the coverage of that regulation, and this amendment places them under the coverage of CPR 22.

This amendment also deletes from paragraph (f) any mention of footwear. Since paragraph (p) of Appendix A exempts all footwear, except rubber footwear, from the coverage of CPR 22, it is an unnecessary repetition to list particular footwear exemptions in paragraph (f).

In view of the corrective nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Ceiling Price Regulation 22, as amended, is hereby further amended in the following respects:

Appendix A, paragraph (f), is amended to read as follows:

(f) (1) Apparel, apparel furnishings or apparel accessories, except as specifically stated below, made of textile materials, leather, fur, plastic, other materials which are normally sewed as part of the assembly operation, or a combination of any such materials; (2) component parts manufactured exclusively for further processing into or for use as a part of apparel, apparel furnishings or apparel accessories. Plastic dipped fabric gloves are not excepted by this paragraph.

The following are examples of commodities excepted under this paragraph:

(1) Men's, boys', women's, misses', children's, toddlers' and infants' outerwear, underwear, headwear, hosiery, foundation garments, lounging and leisure wear, bedwear, athletic and special sports apparel, bathing suits and trunks, theatrical and masquerade costumes, ecclesiastical and academic vestments, occupational service apparel, burial clothes, gloves (but not including plastic dipped fabric gloves), handbags, pocketbooks, purses, wallets, billfolds, coin purses, money belts, muffs, muff bags, key cases, belts, suspenders, garters, garter belts, hose supporters, arm bands, ear muffs, sun shades, scarfs, mufflers, stoles, separate collars, separate cuffs, neckties, neckwear, handkerchiefs, abdominal supporters, sanitary belts and aprons, infants' bands, bibs and other articles of a similar nature.

(2) Hat bodies, sewn pockets, brassiere and underwear straps, collar and cuff sets, shoulder pads, shields, waist bands, unassembled garments sold in package form, and other similar manufactured articles.

The following are examples of commodities not included in this exception: Slide fasteners, buttons and other closures, thread, artificial flowers, cuff links, separate buckles, tie clips, feathers, diapers, key chains, plumes, umbrellas, parasols, canes, costume jewelry, ribbons, compacts, cigarette cases, barrettes, hair furnishings, hair nets, tobacco pouches, carrying cases, dressing cases, brief cases and luggage, plastic dipped fabric gloves.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. App. Sup. 2154)

Effective date: This amendment is effective March 18, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 27, 1952.

[F. R. Doc. 52-2396; Filed, Feb. 27, 1952; 4:00 p. m.]

[Ceiling Price Regulation 22, Amendment 4 to Supplementary Regulation 10]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 10—POSTPONEMENT OF PRICE CALCULATIONS FOR CERTAIN RUBBER PRODUCTS ADJUSTMENTS PURSUANT TO SECTION 402 (D) (4)

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 4 to Supplementary Regulation 10 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment is issued to specify the procedure to be followed by manufacturers of the products covered by SR 10 who wish to apply under section 402 (d) (4) of the Defense Production Act of 1950, as amended, for adjustment of the ceiling prices of such products which, pursuant to the provisions of SR 10, they have determined under the General Ceiling Price Regulation. This amendment provides that manufacturers who wish to apply for such adjustments must file their applications under SR 17 or SR 18 to CPR 22 or GOR 20.

Supplementary Regulation 10 to Ceiling Price Regulation 22 requires manufacturers of original equipment and replacement tires and tubes to continue to use their ceiling prices computed pursuant to the General Ceiling Price Regulation. SR 10 also provides that manufacturers of certain molded, extruded and cut mechanical rubber goods may elect to compute their ceiling prices pursuant to the GCPR. Generally, however, manufacturers of rubber products must price under CPR 22 unless otherwise specified in this or other supplementary regulations.

SR 17 and SR 18 provide for the adjustment of ceiling prices based upon the methods incorporated in CPR 22. Since most of the manufacturers of the rubber products covered by SR 10 have filed with the Office of Price Stabilization reports on OPS Public Form 15 or 16 showing their cost adjustment factors for such products calculated in accordance with methods provided in CPR 22, and SR 10 was based on the results of those reports as explained in the Statement of Considerations accompanying SR 10, the selection of SR 17 and SR 18 rather than GOR 21 as a medium for obtaining adjustments for such products will relieve the manufacturers of the burden of making additional recalculations based upon methods other than those with which they are already familiar. Further, SR 17 and SR 18 to CPR 22 and GOR 20 apply to substantially all other rubber products and the rubber industry as a whole, therefore, should be more familiar with the provisions of these regulations. Also, placing the products covered by SR 10 under SR 17 and SR 18 should result in greater uniformity of adjustments in the rubber industry.

In the formulation of this amendment special circumstances have rendered consultation with industry representatives, including trade association representatives, impractical. In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 10 of Ceiling Price Regulation 22 is amended in the following respects:

1. A new sentence is added to Section 1, so that it now reads as follows:

SECTION 1. *What this regulation does.* This supplementary regulation gives manufacturers of certain specified rubber products the option of pricing under GCPR or CPR 22, and requires manufacturers of other specified products to price under GCPR. Such option or requirement is to be effective until the applicable section of this supplementary regulation is revoked, except where an additional alternative cut-off date is specified. Unless otherwise specified in this or any other supplementary regulation to CPR 22, however, manufacturers of rubber products must price under CPR 22. Further, this supplementary regulation provides that manufacturers of rubber products subject to this supplementary regulation who wish to apply, under section 402 (d) (4) of the Defense Production Act of 1950, as amended, for adjustment of the ceiling prices of such products which, pursuant to the provisions of this supplementary regulation, they have determined under the GCPR, must file their applications under SR 17 or SR 18 to CPR 22 or General Overriding Regulation 20.

2. A new section 6 is added to read as follows:

SEC. 6. *Adjustments under SR 17 or SR 18 to CPR 22 or GOR 20.* If you wish to apply under section 402 (d) (4) of the Defense Production Act, as amended, for the adjustment of ceiling prices which, pursuant to this supplementary regulation, you have computed under the GCPR, you must comply with the provisions of SR 17 or SR 18 to CPR 22 or GOR 20.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date: This Amendment 4 to Supplementary Regulation 10 to Ceiling Price Regulation 22 is effective March 3, 1952.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 27, 1952.

[F. R. Doc. 52-2390; Filed, Feb. 27, 1952; 11:39 a. m.]

[Ceiling Price Regulation 127]

CPR 127—BRASS AND BRONZE INGOT

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 127, is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes ceiling prices for all sales of domestic brass and bronze ingots, except export sales which continue to be covered by Ceiling Price Regulation 61. Brass and bronze ingots are vitally important raw materials used in a multitude of products important to defense production and the civilian economy. Castings produced from these ingots by non-ferrous foundries are used for parts in aircraft, turbines, gears, trucks and tanks, railroad cars, signal equipment and machine tools.

Brass and bronze ingots are made basically from copper scrap and copper alloy scrap, with primary metal used only when necessary to obtain desired metallic content and metallurgical specifications. Since copper scrap and copper alloy scrap are the basic ingredients from which ingot is made, the price of brass and bronze ingot is established normally at a level sufficiently above the price of the scrap to permit the manufacturer a reasonable return for his operations.

With the outbreak of hostilities in Korea and the increased demand arising out of the defense program, prices for all grades of copper scrap and copper alloy scrap rose sharply. Concurrently, the prices of brass and bronze ingot also rose during the period June 24, 1950 to January 26, 1951, with some manufacturers raising their prices more than others.

On June 21, 1951, Ceiling Price Regulation 46 was issued establishing ceiling prices for copper and copper alloy scrap. These prices were generally lower than the ceiling prices for this scrap under the General Ceiling Price Regulation. On July 30, 1951, Amendment 1 to Ceiling Price Regulation 46 was issued reducing the ceiling prices on certain grades of scrap containing tin, to reflect a drop in the domestic price of this metal. With the cost of their principal raw materials thus reduced, the manufacturers of brass and bronze ingots about September 1, 1951, voluntarily reduced their selling prices. Shortly before the issuance of this regulation, the domestic price of tin was increased by the Reconstruction Finance Corporation and the ceiling prices of certain alloys of ingot containing a high proportion of tin were adjusted upward to reflect the increased cost of primary tin contained.

The amount of the reductions and increases by each manufacturer was not uniform and thus varying prices for ingot are being charged by these manufacturers. In view of the diversity of selling prices, the shortage of copper and copper alloy scrap, and the fact that the present selling prices of ingot are below the ceiling prices established under the General Ceiling Price Regulation, it is considered advisable in the interests of stabilization and continued high production to establish uniform ceiling prices for all brass and bronze alloy ingot.

This regulation sets forth specific ceiling prices for carload quantities of all the listed alloys of brass and bronze ingot normally produced. These ceiling prices include the cost of transporting the ingot to the buyer's receiving point when such costs are 35 cents per one hundred pounds or less. If the transportation costs exceed 35 cents per one hundred pounds, the buyer may pay the excess charges. If the buyer transports the ingot in his own vehicle, 35 cents per one hundred pounds is deducted from the listed ceiling prices. An increase of ¼ cent per pound has been established for less than carload quantities and customary cash discounts must also be maintained. Although this regulation lists over 75 specific alloys of ingot, it is possible that an ingot having unique metallurgical specifications might be made; in such case provisions have been made for the seller to apply to the Office of Price Stabilization for a ceiling price.

The ceiling prices set forth are those that are presently being charged by manufacturers currently producing about 80 percent of the total production of ingots.

This regulation covers all sales of domestic brass and bronze ingot by any person except export sales. Only a small quantity of this ingot is exported and it has been deemed advisable to permit such sales to continue to be covered by Ceiling Price Regulation 61 which contains appropriate pricing provisions adapted to export sales.

So far as practicable, the Director has given due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant facts of general applicability. In the judgment of the Director, the provisions of this regulation comply with all the requirements with respect to the establishment of ceiling prices set forth in the Defense Production Act of 1950, as amended.

In formulating this regulation, the Director consulted with industry representatives, including trade association representatives, to the extent practicable under existing conditions, and has given full consideration to their recommendations.

The provisions of this ceiling price regulation and their effect upon business practices, cost practices, or means or aids to distribution in the industry have been considered. It is believed that no changes in such practices or methods have been effected. To the extent, however, that the provisions of this regulation may compel changes in such practices or methods, such provisions are necessary to prevent circumvention or evasion of the regulation and to effectuate the policies of the act.

REGULATORY PROVISIONS

Sec.

AUTHORITY: Sections 1 to 12 issued under sec. 704, 64 Stat 816, Pub. Law 96, 82nd Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, Pub. Law 96, 82nd Cong.; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does*—(a) *Products, persons, and transactions covered.* This regulation establishes ceiling prices for domestic brass and bronze ingot. It applies to all sales and deliveries of these ingots by any person, except export sales. It also applies, insofar as his purchases are concerned, to any person who purchases such ingots in the regular course of trade or business. Export sales continue to be covered by Ceiling Price Regulation 61.

(b) *Geographical applicability.* This regulation applies in the 48 States of the United States and the District of Columbia.

SEC. 2. *Ceiling prices*—(a) *Carload quantity.* The ceiling prices for a carload quantity of one or more alloys of brass and bronze ingot listed in Table A (sold or shipped at one time) is the applicable price set forth in that table. These prices include transportation costs to any destination not in excess of 35 cents per one hundred pounds. If brass and bronze ingot is transported from the point of shipment to the buyer's receiving point by a public (common or contract) carrier, the actual transportation costs in excess of 35 cents per one hundred pounds of ingot may be charged to and paid by the buyer. If brass and bronze ingot is transported from the point of shipment to the buyer's receiving point in a vehicle owned or controlled by the buyer, the ceiling price is the applicable price set forth in Table A less 35 cents per one hundred pounds of ingot. If brass and bronze ingot is transported from the point of shipment to the buyer's receiving point in a vehicle owned or controlled by the seller, no charge may be made for transportation.

TABLE A

GROUP 1—85/5/5/5

Alloy No.	Copper		Tin		Lead		Zinc		Impurities [1]		Ceiling price (cents per pound)
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	
100	83.00	85.55	4.50	5.74	2.75	3.99	1.00	9.49			31.50
101	77.00	82.99	4.50	5.74	2.00	2.99	9.50	15.99	QQ-B-701-3		30.75
110	85.00	87.99	4.50	5.49	4.25	7.00	2.00	7.00			27.75
115 [2]	84.00	85.49	4.00	5.49	4.25	7.00	4.00	10.00			27.25
120	82.00	83.99	3.00	4.49	6.00	10.00	5.00	10.00			26.75
123	79.00	81.99	2.00	4.00	5.00	8.00	6.00	18.00			26.25
125	77.00	78.99	2.00	4.00	5.00	8.00	6.00	18.00			26.00
130	75.00	76.99	1.00	3.00	4.25	10.00	8.00	20.00			25.75
131	92.00	94.99	1.00	2.00	1.00	2.00	2.00	8.00			28.75
132	86.00	88.00	1.00	3.00	1.00	3.00	Balance				28.00

GROUP 2—88/10/2

193	77.00	78.99	21.00	23.00						0.50	54.25
194	80.00	81.99	18.01	20.00						0.50	51.25
195	82.00	83.99	16.01	18.00						0.50	49.75
196	84.00	85.99	14.01	16.00						0.50	47.50
197	84.00	86.00	13.00	15.00		0.20		1.50	QQ-B-701-9		46.50
198	82.00	84.00	12.50	14.50		1.00	2.50	4.50	Navy 46B9c		44.50
199	86.00	87.99	12.01	14.00						0.50	45.00
200	84.00	88.00	10.75	12.24	0.75	1.25		0.10		0.50	43.00
201	84.00	86.00	10.75	12.00	0.81	1.24	1.00	4.00			41.75
205	88.00	90.25	9.75	12.00						0.50	42.25
206	86.00	89.00	9.00	11.00	1.00	2.50			S. A. E. 63		41.50
210	81.00	89.00	9.75	10.74	0.00	0.20	1.00	7.00			41.50
215	81.00	89.00	9.00	10.74	0.81	1.24	1.00	7.00			40.00
220	82.00	88.00	9.00	10.74	1.25	2.74	1.00	5.00			38.25
221	80.00	85.00	9.00	10.74	2.75	4.24	1.00	5.00			36.75
225	83.00	90.00	7.50	9.74	0.21	0.40	1.00	7.00	Navy 46M6G–G		39.25
230	83.00	90.00	7.50	8.99	0.81	1.24	1.00	7.00			37.25
235	82.00	88.50	7.50	8.99	1.25	2.74	1.00	6.00			36.50
240	81.00	89.50	7.50	8.99	2.75	4.24	1.00	6.00			34.75
241	81.00	87.50	7.50	8.99	4.25	6.25	1.00	6.00			33.25
242	91.00	94.00	6.00	8.00				0.50		1.00	39.25
245	84.00	90.00	5.75	7.49	1.00	1.99	1.00	7.00	Navy 46B8g–M		34.50
250	83.50	90.00	5.75	7.49	2.00	3.24	2.00	6.00			32.50
251	83.50	90.00	5.75	7.49	3.25	5.24	1.00	6.00			31.75
253	85.00	92.00	4.50	5.74	1.00	1.99	1.00	9.00			35.00
255	83.50	90.00	4.50	5.74	2.00	2.74	1.00	9.00			32.75
256	85.00	90.00	3.00	4.49	1.75	2.99	1.00	9.00			31.75
257	85.00	90.00	3.00	4.00	0.50	1.00	Balance				33.50

GROUP 3—80/10/10

295	77.00	82.00	15.00	17.00	4.00	6.00		1.00		0.50	43.00
296	69.00	72.00	12.00	14.00	14.00	16.00		0.50	Ni 0.50–1.00 Fe 0.25 Sb 0.25 Others 0.35		40.00
296.5	79.00	83.00	10.50	12.50	7.00	10.00			0.00	0.50	46.50
297	80.00	85.00	9.50	11.49	4.25	6.00			0.76	1.50	35.00
298	80.00	85.00	9.00	11.00	4.25	6.25	1.00	5.00	0.76	1.50	34.50
299	77.00	82.00	9.00	11.00	2.00	11.00	0.15	0.75	0.00	0.25	38.25
300	77.00	82.00	9.00	10.74	8.50	10.74			Sb 0.00–0.25 Total 0.76–1.50		33.25
305	67.00	82.00	9.00	10.74	8.50	21.74			0.76	1.50	33.00
310	82.00	85.00	7.50	8.99	7.25	8.74			0.76	1.50	32.75
311 [3]	82.00	85.00	7.50	8.99	7.25	8.74			QQ-B-701-8		33.50
312	78.00	81.99	7.50	8.99	7.75	10.99		3.00	0.76	1.50	32.50
313	74.00	81.99	7.50	8.99	12.00	15.99			Ni 0.25–0.50 Total 0.76–2.00		32.50
314	74.00	81.99	7.50	8.99	12.00	15.99			0.25	0.75	34.50
315 [3]	79.00	86.00	5.50	7.49	6.00	10.50		4.00	0.76	1.50	30.50
319	74.00	82.00	5.75	7.49	12.00	16.00	S. A. E. 67		0.76	2.00	30.75
320	62.00	77.00	5.75	7.49	16.75	29.74		3.00	0.76	1.50	31.00
321	62.00	77.00	5.75	7.49	16.75	29.74			0.76	1.50	31.00
322	67.50	73.50	4.00	5.75	21.75	26.00			0.76	1.50	29.25
323	67.50	72.50	4.00	6.00	21.75	26.00		0.50	Aeron Mat. Spec. #4840		34.25
324	62.00	67.49	4.00	5.75	26.00	32.00			0.76	1.50	29.50
325	72.00	83.00	4.50	5.74	11.75	21.74		3.00	0.76	1.50	28.00
326	80.00	86.00	3.50	5.49	8.00	10.00		4.00		0.50	29.25
327	72.00	83.00	4.50	5.74	11.75	21.74			(Incl. zinc)	1.50	29.50

[1] Where no specific impurity limitations are stated, the customary impurity limitations shall prevail.
[2] Ingot to be sold at the price indicated for these ranges of alloy content must have lead at least ½ of 1 percent higher than tin.
[3] No addition for phosphorus may be made to the price of this alloy.

GROUP 4—YELLOW

Alloy No.	Copper		Tin		Lead		Zinc		Impurities [1]		Ceiling price (cents per pound)
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	
400	70.00	74.99	0.50	1.74	2.00	4.00	Balance				23.25
403	66.00	69.99	0.50	1.74	2.00	4.00	Balance				23.25
405	Any	65.99	0.50	1.74	2.00	4.00	Balance				23.25
405.1	Any	65.00	0.50	1.50	0.00	0.49	Balance				25.75
405.2	Any	65.00	0.50	1.50	0.50	1.00	Balance		Navy 46B10F		25.75
406	Any	65.99	0.50	1.00	1.00	1.50	Balance				25.75
407	60.00	72.00	0.00	0.50	0.00	0.50	Balance		Incl. Sn and Pb. 1.00		27.25
407.5	90.00	95.00	0.00	0.20	0.00	0.50	Balance		0.00	0.75	30.00
408	83.00	86.00	0.00	0.20	0.00	0.50	Balance				29.75
409	Any	61.00	None		1.50	2.00	Balance			0.25	27.00

GROUP 5-MISCELLANEOUS

NICKEL ALLOYS

410	Any		5.00		10.00	Any		9.00	13.99	26.50
411	Any		5.00		10.00	Any		14.00	17.99	28.00
412	Any		5.00		10.00	Any		18.00	21.99	29.50
413	Any		5.00		10.00	Any		22.00	26.99	31.00
414	Any		5.00		10.00	Any		27.00	32.99	33.00

ALUMINUM BRONZE

415	Any		0.00	1.00		.10	Any	*Aluminum* 8.00	13.00	35.00

MANGANESE BRONZE

							Tensile strength	*Elongation*		
420							60-65,000	Any		30.00
421							60-80,000	Any		30.50
422							80-90,000	Any		31.00
423							90-100,000	Any		32.00
424							100,000 Plus	Any		32.50

SILICON BRONZE

Alloy No.	Copper and zinc		Tin		Other elements		Zinc		Impurities		Ceiling price (cents per pound)
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	
500	90.00		0.00	2.00	Si 2.00-5.50 Fe 0.00-2.50 Mn 0.00-1.50		0.00	15.00		.50	34.50

Additions for phosphorus in all groups:
Phosphorus, 0.05 percent to 0.19 percent 0 cents per pound
Phosphorus, 0.20 percent to 0.49 percent Plus 0.25 cents per pound
Phosphorus, 0.50 percent and over Plus 0.50 cents per pound
Additions for Nickel in all Groups except Yellow and Nickel:
Nickel, under 1 percent 0 cents per pound.
Nickel, 1 percent and over, each percent Plus 0.25 cents per pound.

[1] Where no specific impurity limitations are stated, the customary impurity limitations shall prevail.

(b) *Less than carload quantity.* The ceiling price for a less than carload quantity of one or more alloys of brass and bronze ingot listed in Table A (sold or shipped at one time) is the applicable price determined in accordance with paragraph (a) of this section plus ¼ cent per pound of ingot.

(c) *Customary cash discounts.* The ceiling prices determined in accordance with paragraphs (a) and (b) of this section, must be adjusted to reflect the seller's customary cash discounts.

(d) *Unlisted grades.* (1) The ceiling price for an alloy of brass or bronze ingot not listed in Table A is the price established by the OPS upon application by the seller. Any such application must be filed with the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C., and must contain the following information: The name and address of the seller; a description of the kind and analysis of the ingot for which a ceiling price is to be established; a proposed ceiling price; and a statement of the reasons why the applicant believes such price to be in line with the ceiling prices for brass or bronze alloy ingot otherwise established in this section.

(2) Any ceiling price established by OPS pursuant to this paragraph (d) will be in line with the ceiling prices for brass and bronze ingot otherwise established in this section.

(3) After receipt of an application pursuant to this paragraph (d), OPS may approve or disapprove the proposed ceiling price or request additional information. Pending any such action, the proposed ceiling price may be charged provided that the seller agrees with the buyer to refund the amount, if any, by which the price charged exceeds the ceiling price established by OPS. If OPS has not acted upon the seller's application within 30 days of the receipt thereof, the seller's proposed ceiling price shall be deemed to be established for all deliveries made between the date of filing of the application and the date of any order issued by the OPS disposing of the application.

(4) If a seller of brass and bronze ingot is required to file an application by this paragraph (d) and fails to do so, OPS may issue an order establishing a ceiling price for him. The ceiling price set forth in such order will be in line with the ceiling prices for brass or bronze alloy ingot otherwise established in this section and will apply to all deliveries for which a ceiling price was not otherwise established in this section, including deliveries completed prior to the date of the order. The issuance of such an order will not relieve the seller of his obligation to comply with the requirements of this paragraph (d) or of the various penalties for his failure to do so.

SEC. 3. *Petitions for Amendment.* Any persons seeking an amendment of any provisions of this regulation may file a petition for amendment in accordance with the provisions of Price Procedural Regulation No. 1, Revised.

SEC. 4. *Adjustable pricing.* Nothing in this regulation shall be construed to prohibit any person making a contract or offer to sell a product covered by this regulation at (a) the ceiling price in effect at the time of delivery, or (b) the lower of a fixed price or the ceiling price in effect at the time of delivery. No person, however, may deliver or agree to deliver such product at a price to be adjusted upward in accordance with any increase in a ceiling price after delivery.

SEC. 5. *Excise, sales, and similar taxes.* Any person may collect, in addition to the ceiling price established by this regulation, any excise, sales, or similar tax imposed upon him by reason of his sale of any product covered by this regulation if he is not prohibited by law from making such collection and if he states separately from his selling price the amount of the tax collected and provided such separate statement and collection of the amount of the tax is not prohibited by law.

SEC. 6. *Transfers of business.* If the business assets or stock in trade of a seller of any product covered by this regulation are sold or otherwise transferred after January 25, 1951, and the transferee carries on the business, or continues to deal in the same product, in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject, if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 7. *Record-keeping requirements.* Any seller covered by this regulation must prepare and keep for inspection by

the Director of Price Stabilization for a period of two years records of each sale of the products covered by this regulation showing: The date of sale; the name and address of the seller and buyer; the alloy of ingot sold, described in the nomenclature used in this regulation; the quantity of each such alloy; the price charged for each such alloy; the point or points of shipment and the buyer's receiving point; and the amount of the transportation charges, if any, and by whom they were paid.

SEC. 8. *Interpretations.* If any person wants an official interpretation of this regulation, he should write to the District Counsel of the proper OPS District Office. Any action taken in reliance upon and in conformity with a written official interpretation will constitute action in good faith pursuant to this regulation. Further information on obtaining official interpretations is contained in Price Procedural Regulation 1, Revised.

SEC. 9. *Prohibitions.* No person shall do any act prohibited or omit to do any act required by this regulation, nor shall any person offer, solicit, attempt, or agree to do or omit to do any such acts. Specifically (but not in limitation of the above), no person shall, regardless of any contract or other obligation, sell, deliver or negotiate the sale or delivery of any product and no person in the regular course of trade or business shall buy or receive any product at a price higher than the ceiling price established by this regulation. Every person covered by this regulation shall keep, make and preserve true and accurate records and reports, required by this regulation. If any person violates any provisions of this regulation, he is subject to criminal penalties, enforcement action, and action for damages.

SEC. 10. *Evasions.* Any means or device which results in obtaining indirectly a higher price than is permitted by this regulation or in concealing or falsely representing information as to which this regulation requires records to be kept is a violation of this regulation. This prohibition includes, but is not limited to, means or devices making use of commissions, fees, services, cross sales, transportation arrangements, premiums, discounts, special privileges, upgrading, tie-in agreements and trade understandings, as well as the omission from records of true data and the inclusion in records of false data.

No seller shall require a purchaser to subdivide a requirement into small or partial orders nor shall a purchaser subdivide his requirements into small or partial orders for the purpose of enabling the seller to obtain a higher unit price.

SEC. 11. *Supplementary regulations.* The Director of Price Stabilization may issue supplementary regulations modifying or supplementing this regulation as he deems appropriate.

SEC. 12. *Definitions.* When used in this regulation, the term:

(a) "Brass or bronze ingot" means any alloy ingot (except such hardeners and deoxidizers as are suitable for use only with other materials in the production of castings) in the composition of which the weight of copper metal is 50 percent or more of the total weight of the ingot.

(b) "Carload quantity" means any quantity to which a minimum railroad carload freight rate is applicable.

(c) "Domestic brass and bronze ingot" means brass and bronze ingot produced in the continental United States.

(d) "Export sale" means the sale and shipment of any product covered by this regulation to a person located outside the continental United States, its territories and possessions.

(e) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing; the United States or any agency thereof; or any other government or any of its political subdivisions or any agency of any of the foregoing.

(f) "Point of shipment" means the point from which any product covered by this regulation is loaded on a conveyance for shipment to the buyer's receiving point.

Effective date. This Ceiling Price Regulation 127 shall become effective March 3, 1952.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 27, 1952.

[F. R. Doc. 52-2398; Filed, Feb. 27, 1952; 4:00 p. m.]

[Ceiling Price Regulation 30, Supplementary Regulation 2, Revision 1, Collation 1]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

SR 2, REV. 1—MACHINE TOOLS

COLL. 1—INCLUDING AMENDMENTS 1–4

Supplementary Regulation 2 to Ceiling Price Regulation 30 is republished to incorporate the texts of Amendments 1 through 4, inclusive. Ceiling Price Regulation 30, Supplementary Regulation 2, Revision 1, was issued August 21, 1951 (16 F. R. 8349). Statements of Consideration for Revision 1 of Supplementary Regulation 2 to Ceiling Price Regulation 30, and for Amendments 1–4, inclusive, as previously published, are applicable to this republication. The effective dates of this regulation and of the amendments are shown in a note preceding the first section of the regulation.

REGULATORY PROVISIONS

Sec.

AUTHORITY: Sections 1 to 10 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

DERIVATION: Sections 1 to 10 contained in Supplementary Regulation 2 to Ceiling Price Regulation 30, August 21, 1951 (16 F. R. 8349), except as otherwise noted in brackets following text affected.

EFFECTIVE DATES: CPR 30, SR 2, Rev. 1, August 27, 1951, 16 F. R. 8349; Amendment 1, October 15, 1951, 16 F. R. 10558; Amendment 2, November 3, 1951, 16 F. R. 10984; Amendment 3, December 24, 1951, 16 F. R. 12786; Amendment 4, January 9, 1952, 17 F. R. 154.

SECTION 1. *What this revised supplementary regulation does.* (a) This revised supplementary regulation permits you to increase by 12 percent your base period prices for machine tools, machine tool attachments and certain machine tool parts, determined under CPR 30. It also permits you to reflect in your labor and materials cost adjustments for machine tools, machine tool attachments, and certain machine tool parts, determined under CPR 30, increases in your labor and materials costs to September 10, 1951. This revised supplementary regulation also permits you to reflect in your ceiling prices for machine tools, machine tool attachments and certain machine tool parts increases in your costs due to increased overtime or shift premium hours or increased subcontracting since the end of your base period. Increased costs for overtime and shift premiums are reflected in your ceiling prices by modifying the method of determining your labor cost adjustment set forth in CPR 30. Increased costs due to subcontracting are added to your ceiling prices determined under this revised supplementary regulation.

(b) You may elect to use SR 4 to CPR 30, instead of this revised supplementary regulation to CPR 30, but in the event you do so elect, you may not use the provisions of this revised supplementary regulation.

[Paragraph (b) amended by Amdt. 3]

(c) This section is intended only as a general description to aid in understanding this revised supplementary regulation; if you use this revised supplementary regulation, the following sections are controlling.

[Paragraph (c) added by Amdt. 3]

SEC. 2. *Sellers and sales covered by this supplementary regulation.* This revised supplementary regulation covers you if you are a manufacturer located in the United States, its territories or possessions, or the District of Columbia. It applies to any sale of any new and unused machine tool or machine tool attachment, as to which you are the manufacturer, except sales at retail. The terms "machine tool" and "machine tool attachment" are defined in section

10 (*Definitions*). It also applies to the sale of any machine tool part by the manufacturer of the machine tool of which it is a part where (1) the machine tool part is produced by the manufacturer of the complete machine tool of which it is a part, or (2) the machine tool part as produced by a subcontractor who produces the machine tool part in accordance with the specifications of the manufacturer of the complete machine tool. An explanation of the term "machine tool part" is found in section 10 (*Definitions*).

SEC. 3. *Ceiling prices.* You shall determine your ceiling price as follows:

(a) Determine your base period price to your largest buying class of purchaser in accordance with the applicable provisions of CPR 30.

(b) Multiply the price determined under paragraph (a) of this section by 112 percent. The result must be used for all calculations, under CPR 30 or this revised supplementary regulation, in which base period selling prices are involved.

[Paragraph (b) reworded by Correction]

(c) Determine your labor cost adjustment under the applicable provisions of CPR 30, except that you shall recompute your base period payroll on the basis of your wage rates in effect on March 15, 1951, or any date between March 15 and September 10, 1951, and add thereto any increase between the end of your base period and March 15, 1951, or any date between March 15 and September 10, 1951, in the cost to you of insurance plans, pension contributions for current work, paid vacations and similar "fringe benefits", and required payments under the Federal Insurance Contributions Act, the Federal Unemployment Tax Act and any state or local unemployment or compensation law.

(d) Determine your materials cost adjustment under the applicable provisions of CPR 30, except that you shall use the dollar and cents amount of the change in net cost to you of each material between the end of your base period and December 31, 1950, or any date between December 31, 1950 and September 10, 1951.

(e) Add the amounts found under paragraphs (b), (c) and (d) of this section. The result is your ceiling price to your largest buying class of purchaser.

(f) Determine your ceiling price to your other classes of purchasers in accordance with section 3 (c) of CPR 30.

SEC. 4. *Modification of labor cost adjustment for increased overtime hours.* This section permits you to reflect increased overtime hours in your ceiling prices by modifying the provisions of CPR 30 dealing with the calculation of your labor cost adjustment (sections 12 and 13 of CPR 30). You may do this either on the basis of the percentage increase in your total labor costs due to increased overtime hours (this method is set forth in paragraph (a) of this section) or on the basis of the percentage increase in your labor costs, due to increased overtime hours for each classification of labor (this method is set forth in paragraph (b) of this section).

(a) *Percentage increase of total labor costs.* If you figure your adjustment for increased overtime hours on this basis, you shall do the following:

(1) Select any four consecutive payroll periods after the end of your base period which end not later than the date when you file the report required by section 46 of CPR 30.

(2) Determine the total amount you paid for overtime premium for the payroll periods you selected under subparagraph (1) of this paragraph.

(3) Divide the amount determined under subparagraph (2) of this paragraph by the dollar amount of your total payroll, less payment for overtime premium, for the payroll periods you selected under subparagraph (1) of this paragraph.

(4) On the basis of your current wage payments, e. g., hourly rates, piecework or any other system of wage payments used by you (exclusive of overtime premium), determine the dollar amount of your total payroll for the last payroll period ended not later than the end of your base period.

(5) Multiply the amount determined under subparagraph (4) of this paragraph by the percentage determined under subparagraph (3) of this paragraph.

(6) Add the amount determined under subparagraph (5) of this paragraph to your recomputed payroll in determining your labor cost adjustment under section 3 (c) of this revised supplementary regulation.

(7) Where you are calculating your labor cost adjustment upon the basis of a unit of your business under section 13 of CPR 30, make the same calculations as those required by subparagraphs (1) through (6) of this paragraph for the unit of your business for which you are calculating your labor cost adjustment under section 13 of CPR 30.

(b) *Percentage increase for each classification of labor.* If you figure your adjustment for increased overtime for each classification of labor separately, you shall do the following:

(1) Make the calculations required by paragraph (a) (1) through (5) of this section for each classification of labor.

(2) Total the amounts determined under subparagraph (1) of this paragraph for each classification of labor.

(3) Make the calculations required by paragraph (a) (6) of this section.

SEC. 5. *Modification of labor cost adjustment for increased shift premium hours.* You shall modify your labor cost adjustment for increased shift premium hours in the same manner as that set forth in section 4 of this revised supplementary regulation for modifying your labor cost adjustment for increased overtime hours, except that you shall use shift premium hours and shift premium instead of overtime hours and overtime premium. If you have different shift premiums, depending upon the particular shift in which an employee works, you may determine your adjustment separately for each shift for which you have a different shift premium in effect. Also, if your accounting records permit you to do so, you may compute your overtime and shift premium adjustments together, instead of individually.

SEC. 6. *Addition for increase in subcontracting.* If, during your base period, you produced or processed an item and you are now subcontracting the production or processing of that item, you may add to your ceiling price determined under section 3 of this revised supplementary regulation an amount equal to your increase in cost resulting from this change in your operations. (As used in this section, the word "item" means any complete machine tool or machine tool attachment, any part, subassembly or component of a machine tool or machine tool attachment, or any material used in the manufacture of a machine tool or machine tool attachment). You must calculate the addition to your ceiling price due to increased subcontracting in one of three ways, depending upon the manner in which you wish to charge the purchaser for your increased cost due to subcontracting. Paragraph (a) of this section applies to those cases where you charge the purchaser for your increased costs due to increased subcontracting for a particular machine tool, machine tool attachment or machine tool part; paragraph (b) of this section applies where you charge the purchaser a lump sum for your increased costs due to increased subcontracting for all machine tools, machine tool attachments or machine tool parts he purchases pursuant to a contract with you; and paragraphs (c) or (d) of this section applies where you wish to allocate your increased costs due to increased subcontracting over your entire sales of machine tools, machine tool attachments and machine tool parts or over a portion of your entire sales. Your increased costs due to increased subcontracting shall be figured by using your current contract prices for subcontracting and those costs, if any, due to increased subcontracting (determined on a current basis) caused by the furnishing of tools or patterns to the subcontractor, the use of your employees in the subcontractor's plant, the use of engineering and supervising employees in your own plant on subcontracted work, and transportation expenses to and from the subcontractor's plant. Where you include the cost of the tools and patterns in your computation of your increased cost due to subcontracting, the cost of these tools or patterns must be allocated over the entire production in which they will be used. Once you have allocated the entire cost of tools or patterns you may not include the cost of such tools or patterns in computing your increased costs, due to increased contracting, for any subsequent contracts in which such tools or patterns are used.

(a) *Individual machine tool, machine tool attachment or machine tool part.* In order to determine your addition for increased subcontracting on an individual machine tool, machine tool attachment or machine tool part basis, you do the following:

(1) Determine your current cost (not in excess of the applicable ceiling price as certified, in writing, by the subcontractor) of all subcontracted work enter-

ing into the production of the machine tool, machine tool attachment or machine tool part, which you performed in your own plant during the base period.

(2) Determine those costs, if any, due to increased subcontracting since the end of your base period (determined on a current basis) which enter into the production of the machine tool, machine tool attachment or machine tool part and are caused by the furnishing of tools or patterns to the subcontractor, the use of your employees in the subcontractor's plant, the use of engineering and supervisory employees in your own plant on subcontracted work, and transportation expenses to and from the subcontractor's plant.

(3) Total the amounts determined under subparagraph (1) and (2) of this paragraph.

(4) Subtract from the amount determined under subparagraph (3) of this paragraph your current cost (estimated, if necessary) of performing this subcontracted work in your own plant. The result is the amount which you may add to your ceiling price of the machine tool, machine tool attachment or machine tool part.

(b) *Entire contract.* In order to determine your addition for increased subcontracting for all machine tools, machine tool attachments or machine tool parts sold by you pursuant to a single contract, you do the following:

(1) Determine your current cost (not in excess of the applicable ceiling price as certified, in writing, by the subcontractor) of all subcontracted work, entering into the production of machine tools, machine tool attachments or machine tool parts pursuant to the contract, which you performed in your own plant during your base period.

(2) Determine those costs, if any, due to increased subcontracting since the end of your base period (determined on a current basis) which enter into the production of machine tools, machine tool attachments or machine tool parts pursuant to the contract and are caused by the furnishing of tools or patterns to the subcontractor, the use of your employees in the subcontractor's plant, the use of engineering and supervisory employees in your own plant on subcontracted work, and transportation expenses to and from the subcontractor's plant.

(3) Total the amounts determined under subparagraphs (1) and (2) of this paragraph.

(4) Subtract from the amount determined under subparagraph (3) of this paragraph your current cost (estimated, if necessary) of performing this subcontracted work in your own plant. The result is the amount which you may add to your ceiling price for the entire contract.

(c) *Allocation of increased subcontracting costs over your entire production, or a portion of your production on an estimated basis.* Where you wish to allocate your increased costs due to increased subcontracting over your entire production, or a portion of your production, on an estimated basis, you must allocate the amount of such increased costs over the unit of your production, for which you have made the calculation, in such manner that you make the same percentage increase for each commodity which you produce in that unit of your production. You shall determine this percentage increase for increased costs due to increased subcontracting, on an estimated basis as follows:

(1) Estimate for your current fiscal year, the total amount of your increase in costs, due to increased subcontracting, for the unit of your production for which you are making the calculation. You shall estimate this amount by making the calculation required by paragraph (b) of this section, except that you shall make these calculations for the unit of your production over which you wish to allocate these increased costs and you shall make this estimate for your current fiscal year.

(2) Estimate for your current fiscal year, the total sales price of all machine tools, machine tool attachments and machine tool parts which you delivered or will deliver, during your current fiscal year, in the unit of your production for which you are making the calculation. The total sales price that you must use for the purpose of this subparagraph must be the total of the ceiling prices, established by this revised supplementary regulation without reference to the increases permitted by this section for the machine tools, machine tool attachments and machine tool parts.

(3) Divide the amount determined under subparagraph (1) of this paragraph by the amount determined under subparagraph (2) of this paragraph. The result is the percentage by which you may increase your ceiling price, established by this revised supplementary regulation, without reference to the increases permitted by this section, to reflect increased costs due to increased subcontracting.

(4) You may use the percentage determined under subparagraph (3) of this paragraph for those deliveries which you make in your fiscal quarter which includes the date on which you first calculated this percentage, and for the next succeeding quarter. Following the end of each fiscal quarter, and some time during the next following quarter, you shall recalculate your percentage increase to reflect increased costs due to increased subcontracting. You shall make this recalculation for the same fiscal year for which you made your original calculation. Also, you shall make this recalculation in the manner set forth in subparagraphs (1) through (3) of this paragraph except that you shall reflect in this recalculation your actual experience during your past fiscal quarter and any changes which have occurred in your projected operations for the succeeding nine months period. The resulting recalculated percentage increase may only be used for your fiscal quarter immediately succeeding the quarter in which you made the recalculation.

[Subparagraph (4) amended by Amdt. 4]

(5) You shall recalculate your percentage increase for increased costs due to increased subcontracting at the end of each succeeding fiscal quarter in your fiscal year in which you made your original estimate in the manner set forth in subparagraph (4) of this paragraph. Again, the percentage increase which you calculate may be used only for the succeeding three months' period.

(6) When the fiscal year in which you made your original estimate has elapsed, you shall determine the actual total dollar amount of your increased costs due to increased subcontracting (for the unit of your production for which you have made the calculation) during this fiscal year. If the total dollar amount by which you have increased (to reflect increased costs due to increased subcontracting) the total sales prices of all deliveries which you made, during the period from the date of your original estimate to the close of your fiscal year in which you made the estimate, exceeds by more than five percent the actual dollar amount of your increased costs, which is due to increased subcontracting and is allocable to those deliveries, you must refund the entire excess to your customers. You must make this refund within four months after this fiscal year has elapsed.

(7) You shall determine the refund required by subparagraph (6) of this paragraph as follows: First, for the fiscal year in question, divide the actual total dollar amount of your increased costs due to increased subcontracting, for the unit of your production for which you have made the calculation, by the total dollar amount of your deliveries for this unit of your production. Then, subtract this percentage from the percentage by which you have increased the sales price (to reflect increased costs due to increased subcontracting) for each delivery which you made during the period from the date of your original estimate to the close of your fiscal year in which you made the estimate. You then determine the amount of the refund by applying the resultant percentage to the price (excluding the addition made for increased costs due to increased subcontracting) at which you delivered the machine tool, machine tool attachment or machine tool part during such period.

(8) If, during such period, the amount which you have added for increased costs, due to increased subcontracting, exceeds the actual amount of such increased costs for that period by 5 percent or less, you need not make a refund to your customer. However, you must decrease the amount of your estimate of increased costs, due to increased subcontracting, for your next fiscal year, to reflect the amount of such excess. Also, you must subtract the amount of such excess from your actual increased costs, due to increased subcontracting, for your next fiscal year, for the purpose of determining the refund, if any, which you must make to your customers.

(9) After the fiscal year in which you made your original estimate of increased costs, due to increased subcontracting, you shall determine your addition for such increased costs for your ensuing fiscal year in the manner set forth in subparagraphs (1) through (5) of this paragraph. Also, at the end of this fiscal year, you must determine the refund, if

any, which you must make to your customers in the manner set forth in subparagraphs (6) through (8) of this paragraph.

(d) *Allocation of increased subcontracting costs over your entire production, or a portion of your production, on the basis of experience.* Where you wish to allocate your increased costs due to increased subcontracting over your entire production, or a portion of your production, on the basis of your past experience, you must allocate the amount of such increased costs over the unit of your production, for which you make the calculation, in such manner that you make the same percentage increase for each commodity which you produce in that unit of your production. You shall determine this percentage increase for increased costs due to increased subcontracting, on the basis of your past experience as follows:

(1) Determine for your last fiscal year, or your last fiscal half-year, the total amount of your increase in costs due to increased subcontracting, for the unit of your production for which you are making the calculations. You shall determine this amount by making the calculation required by paragraph (b) of this section, except that you shall make these calculations for the unit of your production over which you wish to allocate these increased costs and you shall make this determination for your last fiscal year, or your last fiscal half-year.

(2) Determine for your last fiscal year, or your last fiscal half-year, the total sales price of all machine tools, machine tool attachments and machine tool parts, which you delivered during your last fiscal year, or your last fiscal half-year, in the unit of your production for which you are making the calculation, without reference to the increases in ceiling prices permitted by this section.

(3) Divide the amount determined under subparagraph (1) of this paragraph by the amount determined under subparagraph (2) of this paragraph. The result is the percentage by which you may increase your ceiling price, established by this revised supplementary regulation, without reference to the increases permitted by this section, to reflect increased costs due to increased subcontracting.

(4) If you calculated the percentage, determined under subparagraph (3) of this paragraph, for a fiscal year, you may use this percentage only for deliveries in your fiscal year which includes the date upon which you made the calculation and for deliveries in the fiscal quarter following the end of such fiscal year. If you calculated the percentage determined under subparagraph (3) of this paragraph for a fiscal half year, you may use this percentage only for deliveries in your fiscal half year which includes the date upon which you made the calculation and for deliveries in the fiscal quarter following the end of such fiscal half year. Following the close of this fiscal year or half-year, as the case may be, you must recalculate your percentage increase to reflect increased costs due to increased subcontracting in the manner set forth in this paragraph, if you wish to continue to reflect such increased costs in your ceiling prices.

[Subparagraph (4) amended by Amdt. 4]

SEC. 7. *Redetermination of ceiling prices to reflect increased overtime and shift premium hours and increased subcontracting*—(a) *Increased overtime and shift premium hours.* During and by the close of each fiscal quarter you shall redetermine the modification of your labor cost adjustment to reflect increased overtime and shift premium hours. You shall make this redetermination in the manner set forth in section 4 of this revised supplementary regulation, except that you shall use in your calculations any four consecutive payroll periods in that fiscal quarter. You shall use this redetermined modified labor cost adjustment for the next following fiscal quarter.

[Paragraph (a) amended by Amdt. 4]

(b) *Addition for increase in subcontracting.* Where you are determining your increased costs due to increased subcontracting separately for each machine tool, machine tool attachment or machine tool part, or where you are determining such increased costs for each subcontract, you must redetermine such increased costs separately for each machine tool, machine tool attachment or machine tool part or each contract, as the case may be. Where you are allocating such increased costs over your entire production or a portion of your production, you must redetermine your addition for such increased costs in the manner set forth in section 6 (c) of this revised supplementary regulation.

[Paragraph (b) reworded by Correction]

(c) *Prohibition against redetermination of ceiling prices.* Except as required by paragraphs (a) and (b) of this section, you may not redetermine your ceiling prices to reflect increased costs due to increased subcontracting or increased overtime and shift premium hours.

SEC. 8. *Reports.* You must file the reports required by section 44 of CPR 30 on or before November 15, 1951, instead of on or before August 13, 1951. In the event that you have already filed your reports under section 44 of CPR 30, you may redetermine your ceiling prices under the provisions of this revised supplementary regulation. In case of such a redetermination, you must file an amended Public Form 8 by November 15, 1951: You shall not reflect in your original or amended Public Form 8, increases in your ceiling prices due to increased overtime or shift premiums or increased subcontracting. The "base period price" reported in Item 8 (d) of Public Form 8 shall be the adjusted base period price as provided in section 3 (b) of this revised supplementary regulation. Your ceiling prices for commodities covered by this revised supplementary regulation are established by the General Ceiling Price Regulation until November 15, 1951, or such earlier date between the effective date of this revised supplementary regulation and November 15, 1951, as you may select.

[Sec. 8 amended by Amdt. 1]

SEC. 9. *Applicability of provisions of CPR 30.* Except to the extent expressly modified or supplemented by this revised supplementary regulation, all provisions of CPR 30 shall be applicable to any manufacturer subject to CPR 30 who is permitted to use this revised supplementary regulation. Thus, by way of illustration, reports on Public Form 8 must be filed in accordance with sections 44 and 46 of CPR 30; the 15-day waiting period prescribed by those sections in cases where a ceiling price higher than that under the General Ceiling Price Regulation is reported, must be observed; and the limitations upon the use of sections 17 and 20 of CPR 30 must be complied with.

SEC. 10. *Definitions*—(a) *CPR 30.* This term means Ceiling Price Regulation 30 issued by the Director of Price Stabilization on May 4, 1951.

(b) *Machine tool.* This term means any power-driven machine listed in Appendix A, which is not portable by hand and is used for the shaping of metal. It does not include any tool specifically designed for home workshops, laboratories, model makers, garages or service shops.

[Paragraph (b) amended by Amdt. 2]

(c) *Machine tool attachment.* This term means any accessory equipment furnished with a machine tool, or separately for use on a machine tool. This term does not include engines, motors, drives, oil pumps, cutting tools or similar items.

(d) *Machine tool part.* This term means any part, subassembly or component of a machine tool which is in such form that it can be used only as a machine tool part, bu does not include engines, motors, drives, oil pumps, cutting tools or similar items.

All definitions used in CPR 30 which are pertinent to this revised supplementary regulation are incorporated in this revised supplementary regulation by this reference.

NOTE: The reporting requirements of this revised supplementary regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

By JOSEPH L. DWYER,
Recording Secretary.

APPENDIX A—COMMODITIES COVERED BY THIS REGULATION

The machines covered by this supplementary regulation are listed below:

Bending machines
Boring machines
Broaching machines
Centering machines
Cut-off and sawing machines (including contour sawing and filing machines)
Drilling machines
Forging machinery
Gear cutting and finishing machines
Grinding machines
Honing and lapping machines
Hydraulic presses
Keyseating machines
Lathes (including automatic screw machines)
Mechanical presses
Milling machines

Planers
Polishing and buffing machines
Shapers and slotters
Rifle working machines
Shearing and punching machines
Tapping and threading machines

[Appendix A added by Amdt. 2]

[F. R. Doc. 52-2391; Filed, Feb. 27, 1952; 11:39 a. m.]

[Ceiling Price Regulation 34, Supplementary Regulation 3, Amdt. 2]

CPR 34—Services

SR 3—Approval of Certain Automotive and Farm Tractor Repair Service Flat Rate Manuals

Approval of Certain Flat Rate Manuals

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Supplementary Regulation 3 (16 F. R. 8828) to Ceiling Price Regulation 34, is hereby issued.

Statement of Considerations

This amendment adds preliminary Diesel Engine Flat Rate Manual (covering Diesel Engines and associated units of GMC H-Model trucks with 4 and 6 cylinder engines); and 1951 supplement to Chevrolet Body Flat Rate Schedule, to the list of approved flat rate manuals and labor schedules in section 2 of Supplementary Regulation 3 to Ceiling Price Regulation 34.

The list includes a new flat rate manual establishing time allowances for repair services rendered in connection with GMC H-Model Diesel powered trucks. Prior to the issuance of this flat rate manual the time allowances for such operations have varied widely between suppliers of such services.

The Statements of Consideration which accompanied Supplementary Regulation 3 to Ceiling Price Regulation 34, and Amendment 1 to that regulation are equally applicable to this amendment and are incorporated herein by this reference.

The routine character of the approval granted by this amendment made it impracticable and unnecessary to consult formally with representatives of the industry, although in each instance representatives of the publishers of the manuals were consulted, and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

Amendatory Provisions

Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 2 is amended by adding after paragraph (q), paragraphs (r) and (s) as follows:

(r) Preliminary Diesel Engine Flat Rate Manual (covering Diesel Engines and Associated units of GMC H-Model trucks with 4 and 6 cylinder Diesel engines);

(s) 1951 Supplement to Chevrolet Body Flat Rate Schedule;

2. Appendices R and S are added after Appendix Q.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This Amendment 2 to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective on March 3, 1952.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 27, 1952.

Appendix R

This is the "Notice" for the Preliminary Diesel Engine Flat Rate Manual (covering Diesel Engines and Associated units of GMC H-Model trucks with 4 and 6 cylinder Diesel engines):

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Selling Price Computation Table given on pages 18 and 19 of the Preliminary Diesel Engine Flat Rate Manual to compute the price for each job, by multiplying the time allowance of such operation by your customers' hourly rate which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive;

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, $_____, Relining brakes on 1951 Blank Cars, $_____); and

(3) The supplementary statement which you file shows that the job is included among those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

Appendix S

This is the "Notice" for the 1951 Supplement to Chevrolet Body Flat Rate Schedule:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the Computation Table on pages 8 and 9 of the 1949 Manual to compute the price for each job, by multiplying the time allowance of each operation by your customers' hourly rate which you charged in the base period, December 19, 1950 to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, $_____, Relining brakes on 1951 Blank Cars, $_____); and

(3) The supplementary statement which you file shows that the job is included among those jobs for which you will hereinafter determine your ceiling price by use of this Manual. (You must file with your OPS District Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Supplement.

[F. R. Doc. 52-2392; Filed, Feb. 27, 1952; 11:39 a. m.]

[Ceiling Price Regulation 79, Amdt. 1 to Revision 1]

CPR 79, Revision 1—Ceiling Prices on Processed Ducks

Definition of Processor and Transportation Factor and Clarification of Certain Distributive Markups in Table C

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 79, Revision 1, is hereby issued.

Statement of Considerations

This amendment revises Ceiling Price Regulation 79, Revision 1, by redefining the terms "Transportation Factor" and "Processor", and by modifying certain volume of sale requirements stated in Table C of section 8.

"Transportation Factor" was defined as the lowest carlot freight rate for dressed poultry, in cents per pound, between any two points, existing prior to the establishment of the interim increases of 6 and 9 percent, multiplied by 1.50. The definition further explained that the factor of 1.50 represented an additional allowance covering interim increases, tare, and icing. The factor of 1.50 was computed on the basis not only of the interim increases of 6 and 9 percent mentioned in the definition but also the prior interim increases of 2 and 4 percent. This amendment makes it clear that the factor of 1.50 is the allowance for all costs of rail transportation of processed ducks in excess of the basic rail rate.

The term "Processor" was defined as a person buying live ducks and dressing them or as a person buying dressed ducks for further processing. This definition inadvertently omitted a producer-processor, a person who grows rather than buys the ducks that he processes. This amendment corrects this omission by revising the definition of the term "Processor" to include all processors, irrespective of the origin of the ducks they process.

Section 8, Table C, establishes distributive markups for certain sales of processed ducks. Eligibility to receive these markups depends upon the status of the buyer, the status of the seller, and the volume of ducks involved in the sale. The volume requirements are specified in Column 3 of the table under the heading "Form of Sale". In two instances the stated volume requirements are inaccurate. Full barrels or boxes of processed ducks are the minimum quantities specified for sales by a hotel supply house to a purveyor of meals or institutional user, and for sales by a wholesaler to any person other than another wholesaler or the U. S. Government. The minimum quantity limitation prevents hotel supply houses and wholesalers from obtaining markups on their customary sales of less than full barrel or box lots. It was not intended to deprive these sellers of distributive markups on these sales. Accordingly, this amendment revises Table C by removing these two minimum quantity requirements.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

In view of the corrective nature of this amendment, the Director has not found it practicable to consult formally with industry representatives.

AMENDATORY PROVISIONS

Ceiling Price Regulation 79, Revision 1, is amended in the following respects:

1. Section 18 (d) is amended to read as follows:

(d) *Transportation Factor.* "Transportation factor" means the lowest carlot freight rate, in cents per pound, for dressed poultry between any two points existing prior to April 4, 1951, the date of the first interim increases, multiplied by 1.50. The factor of 1.50 is regarded as a reasonable additional allowance for interim increases, tare, and icing.

2. Section 18 (h) is amended to read as follows:

(h) *Processor.* You are a "Processor" of ducks if you kill, Kosher-kill, bleed, dress, Kosher-dress, pick, scald, draw, eviscerate or otherwise substantially change the form of any duck or processed duck item.

(3) Section 8, Table C, is amended to read as follows:

TABLE C—MARKUPS IN CENTS PER POUND THAT MAY BE ADDED TO APPLICABLE BASIC CEILING PRICES FOR CERTAIN SALES OF ALL PROCESSED DUCKS

Seller	Buyer	Form of sale	Basic ceiling price to which markup may be added	Markups in cents per pound
Any person	U. S. Government or any of its agencies.	Any quantity of ducks processed and packed to meet Government specifications. If delivered, must also be shipped according to Government specifications and requirements.	Basic ceiling prices at seller's shipping point.	1½ cents if packaged in regular commercial or domestic pack; 2½ cents if packaged in export pack. If delivered, lowest actual transportation cost may also be added.
Any processor	Any person, other than a wholesaler or U. S. Government or its agencies, whose customary receiving point is located within a radius of 50 miles from the point of slaughter.	Not more than 540 pounds of processed duck items delivered to buyer's customary receiving point in any 1 day.	Basic ceiling price at buyer's customary receiving point.	1 cent delivered or nondelivered.
Any wholesaler	Any other wholesaler	Any quantity of processed ducks	Basic ceiling price at seller's shipping point.	1 cent delivered or nondelivered.
Any wholesaler	Any person other than a wholesaler or the U. S. Government or its agencies.	More than 3,000 pounds of processed ducks.	Basic ceiling price at seller's shipping point.	1¼ cents nondelivered; 2¼ cents delivered.
		More than 360 pounds but less than 3,000 pounds of processed ducks delivered in any 1 day.	Basic ceiling price at seller's shipping point.	3 cents nondelivered; 4 cents delivered.
		Up to 360 pounds of processed ducks delivered in any 1 day.	Basic ceiling price at seller's shipping point.	4 cents nondelivered; 5 cents delivered.
Any hotel supply house	Any purveyor of meals or institutional user.	Up to 3,000 pounds of processed ducks delivered in any 1 day.	Basic ceiling price at seller's shipping point.	5¼ cents nondelivered; 6½ cents delivered.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 to Ceiling Price Regulation 79, Revision 1, is effective March 3, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 27, 1952.

[F. R. Doc. 52-2394; Filed, Feb. 27, 1952; 11:39 a. m.]

[Ceiling Price Regulation 45, Amendment 2 to Revision 1]

CPR 45, REV. 1—APPAREL MANUFACTURERS' GENERAL CEILING REGULATION

REMOVAL OF PLASTIC DIPPED FABRIC GLOVES FROM COVERAGE

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 2 to Ceiling Price Regulation 45, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 45, Revision 1, in its present form covers manufacturers' sales of plastic dipped fabric gloves. However, sales of rubber dipped fabric gloves are covered by Ceiling Price Regulation 22 (Manufacturers' General Ceiling Price Regulation). It has been determined that both types of gloves serve substantially the same purposes and are manufactured by virtually the same processes. It is undesirable to have a manufacturer making the two types of gloves price one under one regulation and the other under another regulation. CPR 22 provides a pricing technique for rubber dipped fabric gloves which is based upon extensive industry studies, and it has been concluded that this regulation is best suited to the pricing of plastic dipped fabric gloves.

This amendment, therefore, specifically excludes plastic dipped fabric gloves from the coverage of Ceiling Price Regulation 45, Revision 1. Concurrently with the issuance of this amendment, an amendment to CPR 22 is being issued to provide coverage of plastic dipped fabric gloves by that regulation.

In view of the corrective nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Ceiling Price Regulation 45, Revision 1, as amended, is further amended in the following respects:

1. Section 1 is amended as follows:

(a) By inserting in the first sentence thereof immediately after the words "(a) apparel, apparel furnishings, or apparel accessories," the following words: "except as specifically excluded below," and

(b) By inserting immediately after the second full sentence thereof the following sentence: "Specifically excluded from this regulation, however, are plastic dipped fabric gloves."; so that section 1 will now read as follows:

SECTION 1. *Sellers and sales covered by this regulation.* This regulation covers you if you are a manufacturer located in the 48 States of the United States, the District of Columbia, or the Territory of Hawaii (not including any other territories or possessions) of (a) apparel, apparel furnishings, or apparel accessories, except as specifically excluded below, made of textile materials, leather, fur, plastic, other materials which are normally sewed as part of the assembly operation, or a combination of any such materials, or (b) component parts manufactured exclusively for further processing into or for use as a part of apparel, apparel furnishings, or apparel accessories, or (c) footwear made of felted, knitted, or woven fabrics, or combinations of such fabrics, and which is not normally made by shoe or rubber manu-

facturers, or (d) overshoes and similar footwear worn for weather protection, which are made entirely of plastic except for trimmings and closures. This regulation applies to the sale, including sales at retail, of any such articles of which you are the manufacturer provided that they are fabricated within the 48 States of the United States, the District of Columbia, of any of the territories or possessions of the United States. Specifically excluded from this regulation, however, are plastic dipped fabric gloves. Examples of articles which are covered by this regulation and of articles which are not covered by this regulation, are contained in Appendix A.

This regulation supersedes the General Ceiling Price Regulation for sales by manufacturers of the articles covered by this regulation.

2. Appendix A is amended as follows: By inserting in paragraph (1) of that portion of Appendix A entitled "Examples of Articles Covered by This Regulation," immediately after the word "gloves", the following parenthicated words: "(but not including plastic dipped fabric gloves),".

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. App. Sup. 2154)

Effective date: This amendment is effective March 18, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 27, 1952.

[F. R. Doc. 52-2397; Filed, Feb. 27, 1952; 4:00 p. m.]

Chapter IV—Salary and Wage Stabilization, Economic Stabilization Agency

Subchapter A—Salary Stabilization Board

[General Salary Orders 4 and 8]

GSO 4—REGULARLY EXTENDED WORKWEEK FOR FOREMEN AND SUPERVISORS

GSO 8—REGULARLY EXTENDED WORKWEEK FOR PROFESSIONAL ENGINEERS

CROSS REFERENCE: For supersedure of General Salary Order 4 (16 F. R. 11447) and General Salary Order 8 (16 F. R. 12788), see General Salary Order 10 of this chapter, *infra*.

[General Salary Order 10]

GSO-10—EXTENDED WORKWEEK COMPENSATION

STATEMENT OF CONSIDERATIONS

The payment of additional compensation to employees for hours worked during a regularly extended workweek in excess of the normal workweek has been previously authorized by the Salary Stabilization Board for certain categories of employees. The purpose of this order is to extend this policy to other employees defined in the order, on a self-administering basis by employers, so as to avoid inequities and to permit the maintenance of customary differentials in the compensation of employees performing work in close association. This order also permits the continuation of past practice by an employer in the payment of such compensation. This order supersedes General Salary Orders 4 and 8 and authorizes the continuation of payments to employees covered by those orders.

In the formulation of this regulation due consideration has been given to the standards and procedures set forth in Title IV and Title VII of the Defense Production Act, as amended; there has been consultation with industry representatives and consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.
1. Maintenance of past practices.
2. New practices.
3. Definition of regularly extended workweek.
4. Rate of extended workweek compensation.
5. Records to be maintained.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Maintenance of past practices.* An employer who on or prior to January 25, 1951, had a plan or practice of paying employees under the jurisdiction of the Salary Stabilization Board additional compensation for hours worked in excess of a normal workweek may continue to pay additional compensation to such employees in accordance with such plan or practice.

SEC. 2. *New practices.* (a) An employer who on or prior to January 25, 1951, did not have a plan or practice of paying employees additional compensation for hours worked during a regularly extended workweek in excess of the normal workweek may pay such compensation, without prior approval of the Office of Salary Stabilization: *Provided*, That the employee is in one of the following categories:

(1) A foreman or a supervisor in a position comparable to a foreman.

(2) A professional engineer, defined for the purposes of this order as a person employed in a professional capacity, who, by reason of his special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by professional education and practical experience, is qualified to practice engineering.

(3) An employee whose compensation is so related to, or whose work is so associated with, that of employees in the categories referred to in subparagraphs (1) and (2) of this paragraph or with other employees receiving extended workweek compensation under this order or other applicable wage or salary stabilization regulations, as to make the payment of such additional compensation necessary to maintain customary differentials in compensation or to avoid intra-plant inequities.

(b) This section does not apply to an employee who is not subject to a regularly scheduled work period.

SEC. 3. *Definition of regularly extended workweek.* The term "regularly extended workweek" means additional hours of employment, which have been approved for an employee by a duly authorized superior, and which are in excess of the normal practice applying to such employee or to the position which he occupies. Although the number of additional hours of employment may vary from week to week, the term refers to a substantial period of time during which the employee's workweek is to be regularly extended in order to cope with increased workloads. The term does not include irregular or occasional additional work inherent in the requirements of the position or which has not been required by proper supervisory authority.

SEC. 4. *Rate of extended workweek compensation.* Additional compensation authorized for any employee under section 2 of this order shall not be paid at a rate in excess of his straight time rate without prior approval of the Office of Salary Stabilization.

SEC. 5. *Records to be maintained.* In addition to the record-keeping requirements of General Salary Stabilization Regulation 1, as amended, an employer paying extended workweek compensation under this order shall maintain records indicating the hours actually scheduled on a regularly extended workweek, and the number of such hours actually worked by each employee.

General Salary Orders 4 and 8 are superseded.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Salary Stabilization Board on January 30, 1952.

JUSTIN MILLER,
Chairman.

Approved:

ROGER L. PUTNAM,
Economic Stabilization Administrator.

[F. R. Doc. 52-2389; Filed, Feb. 27, 1952; 11:34 a. m.]

Subchapter B—Wage Stabilization Board

[General Wage Procedural Regulations, Amdt. 1]

TRANSCRIPTS OF ENFORCEMENT OF HEARINGS

COMPLAINT AND NOTICE OF HEARING

Pursuant to the Defense Production Act of 1950 (64 Stat. 816, as amended by Pub. Law 96, 82d Cong.); Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), and General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), this Amendment 1 to the General Wage Procedural Regulation (16 F. R. 10018) is hereby issued.

STATEMENT OF CONSIDERATIONS

Section 5 of the Wage Stabilization Board's General Wage Procedural Regulation delegates to the National and

Regional Enforcement Commissions the function of determining the extent to which any wage, salary, or compensation payment made in contravention of the Board's regulations or orders shall be disallowed for tax and other purposes. Enforcement hearings are conducted before the National or Regional Enforcement Commissions, or before panels or hearing officers designated by the Regional Enforcement Commissions. When the original hearings are conducted by panels or hearing officers, the appointing Regional Enforcement Commission automatically reviews their findings and determinations. The decisions of the Regional Enforcement Commissions are subject to review by the National Enforcement Commission. After consideration of the matter, the Wage Stabilization Board has determined that verbatim transcripts of enforcement hearings would be in the interest of all parties and would facilitate review by the Regional or National Enforcement Commissions.

AMENDATORY PROVISIONS

Section 5.3 (e) is amended to read as follows:

SEC. 5.3 *Complaint and notice of hearing.* * * *

(e) A verbatim transcript of all hearings before the Regional Enforcement Commissions, Panels or Hearings Officers shall be prepared by an Official Reporter designated by the Regional Enforcement Commission. The transcript shall be the only official record of such proceedings. Copies shall be available to all parties requesting them at the regular cost per copy.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Unanimously adopted by the Wage Stabilization Board on January 16, 1952.

NATHAN P. FEINSINGER,
Chairman.

[F. R. Doc. 52-2278; Filed, Feb. 27, 1952; 8:50 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-6A, as amended, February 27, 1952]

M-6A—STEEL DISTRIBUTORS

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended, and to further implement the provisions of the Statement of Principles for Economic Cooperation, dated October 25, 1950, issued by the Governments of the United States and Canada. In the formulation of this amended order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

NPA Order M-6A of October 5, 1951, is amended in the following respects:

1. The definition of "steel distributor" in section 2 (d) is amended to add certain functions and to exclude other functions.

2. The definition of "alloy steel" in section 2 (h) is changed to designate certain clad steels as alloy steels under certain conditions, and to except electrical sheet and strip from the definition.

3. The definition of "stainless steel" in section 2 (i) is changed to eliminate reference to stainless clad steel.

4. A new paragraph (j) defining "nickel-bearing stainless steel" is added to section 2.

5. Former paragraph (j) of section 2 is redesignated as paragraph (k) and the definition of "carbon steel" is amended to conform it to the definition contained in NPA Order M-1.

6. Former paragraph (k) of section 2 is redesignated as (l).

7. Paragraph (a) of section 10 is amended to provide that records be retained for 3 years.

8. List A is amended to conform it to the changed provisions of the order.

As amended, NPA Order M-6A reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Shipments to distributors.
4. Identification of orders.
5. Item limitation for acceptance of authorized controlled material orders by distributors.
6. Certain earmarked distributors' stocks.
7. Direct shipments.
8. Relation to other NPA orders and regulations.
9. Applications for adjustment or exception.
10. Records and reports.
11. Communications.
12. Violations.

AUTHORITY: Sections 1 to 12 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789.

SECTION 1. *What this order does.* This order and CMP Regulation No. 4 apply to steel distributors. This order requires producers to make monthly shipments of steel products to steel distributors on the basis set out in the order. It requires steel distributors to identify their purchase orders. It limits the required acceptance by distributors of purchase orders from any one purchaser during any one week. It makes provisions for the earmarking of certain steel distributors' stocks. It includes provisions incidental to the effectuation of the foregoing.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States Government or of any other government.

(b) "Steel product" means an iron or steel product set forth in List A of this order, subject to footnotes contained in List A.

(c) "Producer" means a person who produces one or more steel products.

(d) "Steel distributor" means any person (including a warehouseman, jobber, dealer, or retailer) engaged in the business of stocking any steel product at one or more locations regularly maintained by him for such purpose, for sale or resale, in the form or shape as received or after performing the operations described in the next sentence of this paragraph, and who, in connection therewith, maintains facilities and equipment necessary to conduct such business. Such operations are cutting, shearing, burning, or torch-cutting to length, size, or shape; pipe threading; corrugating and forming of roofing and siding; forming of ridge roll, valley, and flashing; sorting and grading; and the like. A person who, in connection with any sale of any steel product from his stock, bends, punches, or performs any fabricating or processing operation designed to prepare such material for final use or assembly, or who delivers straight lengths of reinforcing bars as part of a fabricated job or project, shall not be deemed a distributor with respect to such sale; and a person who, in connection with any purchase of any steel product for resale, does not take physical delivery of any such steel product into his own stock at a location regularly maintained by him for such purpose, shall not be deemed a distributor with respect to such resale. The term shall also include any steel distributor domiciled in, or incorporated under the laws of, the Dominion of Canada or any province thereof.

(e) "Base period" means the period commencing January 1, 1950, and ending September 30, 1950.

(f) "Base tonnage" means the average monthly shipments of any one steel product made by any one producer during the base period to any one distributor customer.

(g) "Item" means any steel product which is different from all other steel products by reason of one or more of its specifications, such as width, thickness, temper, alloy, or finish.

(h) "Alloy steel" means steel containing 50 percent or more of iron or steel and any one or more of the following elements in the following amounts: Manganese, maximum of range in excess of 1.65 percent; silicon, maximum of range in excess of 0.60 percent (excepting electrical sheet and strip); copper, maximum of range in excess of 0.60 percent; aluminum, boron, chromium, cobalt, columbium, molybdenum, nickel, tantalum, titanium, tungsten, vanadium, zirconium, or any other alloying elements in any amount specified or known to have been added to obtain a desired alloying effect. For operations beginning with the second calendar quarter of 1952, clad steels which have an alloy-steel base or carbon steel for which nickel and/or chromium is contained in the coating or cladding material (e. g., inconel, monel, or stainless) are alloy steels.

(i) "Stainless steel" means heat- and corrosion-resisting steel containing 50 percent or more of iron or steel and 10 percent or more of chromium whether with or without nickel, molybdenum, or other elements.

(j) "Nickel-bearing stainless steel" means a stainless steel, wrought, cast, or sintered, containing 1 percent or more of nickel.

(k) "Carbon steel (including wrought iron)" means any steel customarily so classified and also includes: (1) All grades of electrical sheet and strip; (2) low-alloy, high-strength steels; and (3) clad and coated carbon steels not included with alloy steels, e. g., galvanized, tin, terne, copper (excluding copper wire mill products) or aluminum clad and/or coated carbon steels. "Low-alloy, high-strength steels" means only the proprietary grades promoted and sold for this purpose, and Navy high-tensile steel grade HT Specification Mil-S-16113 (Ships).

(l) "NPA" means the National Production Authority.

SEC. 3. *Shipments to distributors.* (a) Each producer is hereby required to accept purchase orders from his steel distributor customers for shipments of steel products in January 1952 and subsequent months to the extent provided in this section. Each producer must accept purchase orders which call for shipments of any one or more of the steel products shipped by him to each steel distributor customer during the base period up to a minimum of not less than 100 percent of the base tonnage of each such steel product shipped to each steel distributor customer during the base period: *Provided, however,* That such orders are placed with the steel producers in accordance with the lead times for the various steel products set forth in Schedule III of CMP Regulation No. 1, as amended from time to time: *And further provided,* That orders placed under the provisions of this section must be for substantially the same products as were supplied to each steel distributor during the base period, except for minor variations in size and design.

(b) Whenever sales can be made without conflicting with other NPA orders, regulations, directions, or directives, a producer may sell to any steel distributor customer any tonnage of any steel product over and above the minimum tonnage, and may also sell to any steel distributor who has no base tonnage, any tonnage of any steel product. In determining the amount of the minimum monthly allotments, adjustments may be made by a producer with the consent of the steel distributor customer involved, to provide for any abnormal situations which affect any steel products.

SEC. 4. *Identification of orders.* In ordering steel products from producers, pursuant to section 3 of this order, for shipment during January 1952 and subsequent months, each steel distributor is hereby required to identify each purchase order as an M-6A order. Such identification shall be placed or stamped on each purchase order in a prominent place so that the order may readily be identified as an M-6A purchase order.

SEC. 5. *Item limitation for acceptance of authorized controlled material orders by distributors.* No steel distributor shall be required to make delivery on an authorized controlled material order from inventory to any one customer to any one destination during any calendar week of any item of a steel product in quantities in excess of the following:

Any item of carbon steel more than 8,000 pounds.

Any item of alloy steel more than 5,000 pounds.

Any item of stainless steel sheet more than 2,000 pounds.

Any item of stainless bars and plates more than 1,000 pounds.

Any item of stainless tubing or pipe more than 1,000 pounds or feet, whichever is less.

In no case shall a steel distributor be required to make deliveries to any one customer aggregating 40,000 pounds or more during any calendar week unless the deliveries include 10 or more different items, subject to the limitations of the preceding sentence as to each item.

SEC. 6. *Certain earmarked distributors' stocks.* NPA from time to time may earmark particular steel products in the inventory of any steel distributor for special treatment by such distributor. Any such earmarking shall be accomplished by the issuance by NPA of published schedules under this order or by directives to specified distributors. Such schedules or directives may provide, among other things, that the steel products so earmarked shall be held by the steel distributor solely for sale to persons designated by an agency of the United States Government. Such schedules or directives may contain such other provisions particularly applicable to such earmarked stock as NPA may deem appropriate. All provisions of any schedule or directive shall be deemed to be incorporated into and made a part of this order as of the effective date of the schedule, or directive, or amendment, thereto, as the case may be. In the event of any inconsistency between a schedule or directive and this order, the provisions of the schedule or directive shall govern. Schedules or directives may be issued or amended at any time and from time to time, and shall remain in full force and effect until individually amended, superseded, or revoked.

SEC. 7. *Direct shipments.* Nothing in this order shall be deemed to prevent a steel distributor, who normally acted as authorized agent of a producer, from acting not only in the capacity of a steel distributor as defined in section 2 of this order, but also acting as an agent of a producer for the purpose of receiving and transmitting to such producer authorized controlled material orders, as defined in section 2 of CMP Regulation No. 1, for direct shipment by the producer to the person placing such order.

SEC. 8. *Relation to other NPA orders and regulations.* All provisions of any NPA regulation or order are superseded to the extent that such provisions are inconsistent with this order, but in all other respects the provisions of such regulations and orders shall remain in full force and effect.

SEC. 9. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, that any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment which claim that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resultant unemployment that would impair the defense program. Each request shall be in writing, by letter in duplicate, and shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 10. *Records and reports.* (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

(c) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

SEC. 11. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-6A.

SEC. 12. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or of using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order, as amended, shall take effect February 27, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

LIST A OF NPA ORDER M-6A

INDUSTRIAL STEEL PRODUCTS

Product groups	Types		
	Carbon	Stainless [4]	Other alloy [1]
1. Blooms, billets, slabs, tube rounds, die blocks, sheet, and tin bars	X	X	X
2. Structural shapes and piling	X	----	X
3. Plates (universal and sheared) including skelp	X	X	X
4. Rails and track accessories	X	----	X
5. Hot-rolled bars—except concrete reinforcing bars but including forged, galvanized, and wrought iron bars	X	X	X
6. Concrete reinforcing bars (unfabricated) [2]	X	----	----
7. Cold-finished bars	X	X	X
8. Sheets and strip, hot-rolled	X	X	X
9. Sheet and strip, cold-reduced	X	X	X
10. Tin mill black plate, tin plate, and terneplate	X	----	----
11. Sheets and strip, all other but not including items under Merchant Trade Steel Products	X	X	X
12. Welded tubing	X	X	X
13. Seamless tubing	X	X	X
14. Tool steel, including drill rod	X	----	X
15. Wire rope and strand	X	X	X

MERCHANT TRADE STEEL PRODUCTS

CARBON AND LOW ALLOY ONLY

16. Standard and line pipe, water well tubular products, and couplings [3] (includes steel and wrought iron pipe).
17. Oil country casing, tubing, drill pipe, and couplings.[3]
18. Galvanized, lead coated, or painted sheet and strip, purchased for resale or for manufacture by the distributor of roofing and siding, valley, ridge roll or flashing.
19. Formed roofing and siding, valley, ridge roll and flashing (painted, black, galvanized or lead coated).
20. Nails (cut and wire), fence and netting staples.
21. Wire, drawn (including stainless).
22. Wire bale ties.
23. Wire (barbed and twisted) and wire fence (woven or welded).
24. Wire netting.
25. Fence posts.
26. Welded wire concrete reinforcing mesh.

[1] Irrespective of the percentage of any grades of commercial quality alloy steels shipped by a producer to his steel distributor customer during the base period, each minimum tonnage of such alloy steels to be shipped shall be in any grades with a melting range of (a) 0.60 maximum nickel or 0.15 maximum molybdenum for steels 0.30 carbon and under, or; (b) 0.40 maximum nickel or 0.15 maximum molybdenum for steels 0.31 carbon and over, used individually or in combination, with or without chromium, or any non-nickel-bearing, or non-molybdenum-bearing grades, with or without chromium.

[2] Excludes straight lengths sold by distributor for intended use as part of a fabricated job or project.

[3] Threaded couplings of the type normally supplied on threaded pipe by pipe producers.

[4] Nickel-bearing stainless steel only.

[F. R. Doc. 52-2386; Filed, Feb. 27, 1952; 11:16 a. m.]

[NPA Order M-92, Amendment 1 of February 27, 1952]

M-92—AUTOMOBILE WRECKERS

This amendment to NPA Order M-92 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. Consultation with industry representatives in advance of the issuance of this amendment has been rendered impracticable due to the necessity for immediate action.

This amendment affects NPA Order M-92 of December 11, 1951, as follows:

Section 4 is hereby amended to read as follows:

SEC. 4. *Limitations on acceptance of motor vehicles and car-units.* Beginning April 1, 1952, and on the first day of each July, October, January, and April thereafter, no automobile wrecker shall accept delivery of any motor vehicle or car-unit unless during the 3-month period immediately preceding each such date he has disposed of, to scrap dealers or scrap consumers, a number of motor vehicles and car units at least equal to the sum of all motor vehicles manufactured prior to 1946 and all car-units, which were in his inventory on the first day of such preceding 3-month period. For the purposes of this order, the period from December 1, 1951, through March 31, 1952, inclusive, shall be considered the initial 3-month period.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d, Cong.; 50 U. S. C. App. Sup. 2154)

This amendment shall take effect February 27, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52-2387; Filed, Feb. 27, 1952; 11:16 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 27 to Schedule A]

[Rent Regulation 2, Amdt. 25 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

CALIFORNIA AND PENNSYLVANIA

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective February 28, 1952, Rent Regulation 1 and Rent Regulation 2 are amended so that the item(s) of Schedule A read(s) as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 25th day of February 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
California				
(29) Lancaster-Mojave	A	In Kern County, judicial township number 11; and in Los Angeles County, Antelope Township.	May 1, 1951	Feb. 28, 1952
Pennsylvania				
(267) Pittsburgh	B	Allegheny County, except the boroughs of Bethel, Elizabeth, and Rosslyn Farms, and the townships of Crescent, Mount Lebanon, Ohio and Penn; Armstrong County; Beaver County, except the township of Brighton; Lawrence County, except the borough of New Wilmington; Westmoreland County; in Butler County, the city of Butler; Fayette County, except the townships of Henry Clay, Stewart and Wharton; in Green County, the townships of Cumberland, Dunkard, Franklin, Jefferson, Monongahela and Morgan; and Washington County, except the townships of East Finley, Morris, South Franklin, and West Finley.	Mar. 1, 1942	July 1, 1942
(267) Pittsburgh	C	That part of Beaver County north and east of the Ohio River, except the townships of Economy, Harmony, and Brighton, and the borough of Ambridge, Baden, and Conway.	Oct. 1, 1950	Feb. 28, 1952
	A	In Beaver County, Brighton Township	do	Do.

[F. R. Doc. 52-2283; Filed, Feb. 27, 1952; 8:51 a. m.]

[Rent Regulation 1, Amdt. 28 to Schedule A]

[Rent Regulation 2, Amdt. 26 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

CALIFORNIA, ILLINOIS, INDIANA AND MICHIGAN

Effective February 28, 1952, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 25th day of February 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

1. Schedule A, Item 40a, is amended to describe the counties in the defense-rental area as follows:

Ventura County, except the city of San Buenaventura.

This decontrols the City of San Buenaventura in Ventura County, California, a portion of the Ventura, California, Defense-Rental Area.

2. In Schedule A, all of item 86 which pertains to Class A accommodations is deleted.

This decontrols the Village of Crete in Will County, Illinois, and the Village of Steger in Cook and Will Counties, Illinois, portions of the Joliet, Illinois, Defense-Rental Area.

3. Schedule A, Item 106, is amended to describe the counties in the defense-rental area as follows:

Delaware County, except the city of Muncie, and the towns of Albany, Eaton, Gaston, Selma and Yorktown; in Howard County, Center Township; and in Madison County, Lafayette Township and Anderson Township, except the town of Edgewood.

This decontrols the City of Muncie in Delaware County, Indiana, a portion of the Anderson, Indiana, Defense-Rental Area.

4. In Schedule A, Item 156 is amended to read as follows:

(156) [Revoked and decontrolled.]

This decontrols the remainder of the Port Huron, Michigan, Defense-Rental Area, consisting of portions of St. Clair County, on the initiative of the Director of Rent Stabilization in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

All decontrols effected by these amendments, except those in item 4 thereof, are based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

[F. R. Doc. 52-2282; Filed, Feb. 27, 1952; 8:51 a. m.]

[Rent Regulation 3, Amdt. 43 to Schedule A]

RR 3—HOTELS

SCHEDULE A—DEFENSE-RENTAL AREAS

CALIFORNIA AND PENNSYLVANIA

This amendment is issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective February 28, 1952, Rent Regulation 3 is amended so that the item(s) of Schedule A read(s) as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 25th day of February 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(29 Lancaster-Mojave....	California.....	In Kern County, judicial township number 11; and in Los Angeles County, Antelope Township.	May 1, 1951	Feb. 28, 1952
(86) Pittsburgh.....	Pennsylvania.	That part of Beaver County north and east of the Ohio River, except the townships of Economy and Harmony, and the boroughs of Ambridge, Baden, and Conway.	Oct. 1, 1950	Do.

[F. R. Doc. 52-2280; Filed, Feb. 27, 1952; 8:51 a. m.]

[Rent Regulation 3, Amdt. 44 to Schedule A]

RR 3—HOTELS

SCHEDULE A—DEFENSE-RENTAL AREAS

ILLINOIS

Effective February 28, 1952, Rent Regulation 3 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 25th day of February 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

Schedule A, Item 86, is amended to describe the counties in the defense-rental area as follows:

Will County, except the village of Crete, and that portion of the village of Steger located therein.

This decontrols the village of Crete in Will County, Illinois, and the village of Steger in Cook and Will Counties, Illinois, portions of the Joliet, Illinois, Defense-Rental Area, based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

[F. R. Doc. 52-2281; Filed, Feb. 27, 1952; 8:51 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 36—SERVICEMEN'S READJUSTMENT ACT OF 1944

SUBPART A—TITLE III; LOAN GUARANTY

CREDIT RESTRICTIONS

In § 36.4356, a new paragraph (h) is added as follows:

§ 36.4356 *Credit restrictions.* * * *

(h) No loan for the purchase of an automobile to be used by the veteran in the conduct of his full- or part-time occupation or business will be eligible for insurance under section 508 of the act if the term of the loan exceeds thirty (30) months in the case of the purchase of a new automobile, or exceeds twenty-four (24) months in the case of a "used" vehicle. If the loan is to be made for the purchase of a new or "used" automobile which is to be used in the veteran's part-time occupation or business such loan to be eligible for guaranty or insurance shall require the prior approval of the Administrator, the assistant administrator for finance, or the director, loan guaranty service. For the purposes of this paragraph the term "automobile" shall be deemed to have reference to passenger cars and includes station wagons but not trucks. An automobile shall be deemed to be "used" if the manufacturer's warranty is not obtainable by the veteran purchaser.

(Sec. 504, 58 Stat. 293, as amended; 38 U. S. C. 694d)

This regulation is effective February 28, 1952.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 52-2290; Filed, Feb. 27, 1952; 8:53 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

MISCELLANEOUS AMENDMENTS

a. In § 127.266 *Gilbert and Ellice Islands Colony (Fanning, Washington, Christmas, Ocean, Gilbert, and Ellice Islands)* amend subdivision (i) of paragraph (b) (1) by striking out the tables of rates and inserting in lieu thereof the following:

[Rates include transit charges]

Pounds:	*Rate*	Pounds:	*Rate*
1	$0.22	7	$1.27
2	.36	8	1.61
3	.50	9	1.75
4	.85	10	1.89
5	.99	11	2.03
6	1.13		

b. In § 127.282 *Israel (State of)* (16 F. R. 12095) make the following changes:

1. Amend subparagraph (7) of paragraph (a) by adding the following:

(iii) A part of the city of Jerusalem is under the control of the State of Israel and a part (old city) under the control of the Hashemite Kingdom of Jordan. Articles for that part of Jerusalem under Israeli control should show "Israel" or "State of Israel" as the country of destination.

2. In paragraph (b) (5) amend subdivision (*g*) of subdivision (iii) to read as follows:

(*g*) Pharmaceutical preparations sent as bona fide gifts require presentation by the addressee in Israel of a medical certificate showing that he has need of the medicine in question. Each preparation must be fully labeled to permit verification of the contents.

Pharmaceutical preparations not sent as gifts require a license issued by the Ministry of Health, Jerusalem, and must be labeled in accordance with the Israeli pharmaceutical regulations. Interested patrons may obtain information concerning those regulations from the Office of International Trade, Department of Commerce, Washington 25, D. C.

c. In § 127.305 *Morocco, Tangier (International Zone)* amend paragraph (b) (1) by inserting between the table of rates in subdivision (i) and the tabulated information appearing thereunder, a new subdivision (ii) to read as follows:

(ii) Air parcels.

Rates: $1.19 first 4 ounces; $0.54 each additional 4 ounces.

Each air parcel must have affixed the blue Par Avion label. (Form 2978). (See § 127.55 (b).)

d. In § 127.320 *Norway (including Spitzbergen)* amend subdivision (ii) of paragraph (b) (3) to read as follows:

(ii) Addressees in Norway must obtain import licenses for gift parcels exceeding 200 kroner (approximately $28) in value. License-free gift parcels may not contain more than 4 pounds 6 ounces of coffee, or 22 pounds of sugar.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369; and the terms of postal conventions and agreements entered into pursuant to R. S. 398, 48 Stat. 943; 5 U. S. C. 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 52-2277; Filed, Feb. 27, 1952; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[26 CFR Part 29]

INCOME TAX; TAXABLE YEARS ENDING AFTER DECEMBER 31, 1941

CREDIT FOR "SPECIAL REFUNDS" OF EMPLOYEE SOCIAL SECURITY TAX

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 322 (a) (4) of the Internal Revenue Code, as added by section 206 (b) (1) and (c) of the Social Security Act Amendments of 1950 (64 Stat. 538).

[SEAL] JOHN B. DUNLAP,
Commissioner of Internal Revenue.

Pursuant to authority contained in section 322 (a) (4) of the Internal Revenue Code, as added by section 206 (b) (1) and (c) of the Social Security Act Amendments of 1950 (81st Cong., 2d Sess.), approved August 28, 1950, Regulations 111 are amended as follows:

PARAGRAPH 1. There is inserted immediately after § 29.35-1, as added by Treasury Decision 5325, approved January 8, 1944, the following:

§ 29.35-2 *Credit for "special refunds" of employee social security tax*—(a) *In general.* (1) In the case of an employee receiving wages from more than one employer during the calendar year, amounts may be deducted and withheld as employee social security tax under section 1400 with respect to more than $3,600 wages (for example, on $4,500 if the employee is paid $2,500 by one employer and $2,000 by another). Section 1401 (d) permits, under certain conditions, a so-called "special refund" of the amount of such employee social security tax deducted and withheld with respect to wages in excess of $3,600 by reason of the employee working for more than one employer during the calendar year.

(2) An employee who is entitled to a special refund of employee tax with respect to wages received during a calendar year commencing after December 31, 1950, and who is also required to file an income tax return for such calendar year (or for his last taxable year beginning in such calendar year) may obtain the benefits of such special refund only by claiming credit for such special refund in the same manner as if such special refund were an amount deducted and withheld as income tax at the source under subchapter D of chapter 9. The credit with respect to a special refund is not allowable unless the return, amended return, or claim for refund, on which the special refund is claimed, is filed within two years after the calendar year in which payments is made of the wages with respect to which the special refund of tax is claimed. See section 1401 (d) (3) and (4) and § 408.802 (c) of this title (Regulations 128) pertaining to tax under the Federal Insurance Contributions Act. For special provisions for claiming special refunds in the case of employees not required to file income tax returns, see § 408.802 (c) (3) of this title.

(3) The amount of the special refund allowed as a credit shall be considered as an amount deducted and withheld as income tax at the source under subchapter D of chapter 9. If the amount of such special refund when added to amounts deducted and withheld as income tax under subchapter D of chapter 1 exceeds the taxes imposed by such chapter, the amount of the excess constitutes an overpayment of income tax under chapter 1, and interest on such overpayment is allowed to the extent provided under section 3771 of the Code upon an overpayment of income tax resulting from a credit for income tax withheld at source. See section 322 (a) (2) and (4).

(b) *Federal and State employees.* The provisions of this section shall apply to the amount of a special refund (under section 1401 (d) (4) (A)) allowable to an employee of a Federal agency or a wholly owned instrumentality of the United States, and to the amount of a special refund (under section 1401 (d) (4) (B)) allowable to an employee of any State or political subdivision thereof (or any instrumentality of any one or more of the foregoing).

PAR. 2. There is inserted immediately preceding § 29.322-1 the following:

SECTION 206 (B) (1) AND (C) OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1950 (APPROVED AUGUST 28, 1950).

* * * * *

(b) (1) Section 322 (a) of the Internal Revenue Code is amended by adding at the end thereof the following new paragraph:

(4) *Credit for "special refunds" of employee social security tax.* The Commissioner is authorized to prescribe, with the approval of the Secretary, regulations providing for the crediting against the tax imposed by this chapter for any taxable year of the amount determined by the taxpayer or the Commissioner to be allowable under section 1401 (d) as a special refund of tax imposed on wages received during the calendar year in which such taxable year begins. If more than one taxable year begins in such calendar year, such amount shall not be allowed under this section as a credit against the tax for any taxable year other than the last taxable year so beginning. The amount allowed as a credit under such regulations shall, for the purposes of this chapter, be considered an amount deducted and withheld at the source as tax under subchapter D of chapter 9.

* * * * *

(c) * * * the amendment made by subsection (b) (1) of this section shall be applicable only with respect to taxable years beginning after December 31, 1950, and only with respect to "special refunds" in the case of wages paid after December 31, 1950.

[F. R. Doc. 52-2287; Filed, Feb. 27, 1952; 8:52 a. m.]

[26 CFR Parts 402, 403, 411]

[Regs. 106, 107, 114]

AMENDMENTS CONFORMING EMPLOYMENT TAX REGULATIONS TO SOCIAL SECURITY ACT AMENDMENTS OF 1950

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in sections 1429, 1535, 1609, and 3791 of the Internal Revenue Code (53 Stat. 178, 183, 188, 467; 26 U. S. C. 1429, 1535, 1609, 3791) and sections 203 (b), 206 (b) (2), 207 (b) (1), and 209 (a), (b), (d), and

(e) of the Social Security Act Amendments of 1950 (Pub. Law 734, 81st Cong.; 64 Stat. 527, 538, 540, 545, 546, 547, 548), approved August 28, 1950.

[SEAL] JOHN B. DUNLAP,
Commissioner of Internal Revenue.

In order to conform Regulations 106 (26 CFR, Part 402), relating to the employees' tax and the employers' tax under the Federal Insurance Contributions Act (subchapter A, chapter 9, Internal Revenue Code), to sections 203 (b), 206 (b) (2), and 209 (d) and (e) of the Social Security Act Amendments of 1950 (Pub. Law 734, 81st Cong.; 64 Stat. 527, 538, 547, 548), approved August 28, 1950; Regulations 107 (26 CFR, Part 403), relating to the excise tax on employers under the Federal Unemployment Tax Act (subchapter C, chapter 9, Internal Revenue Code), to sections 207 (b) (1) and 209 (a), (b), (d), and (e) of such Social Security Act Amendments of 1950 (64 Stat. 540, 545, 546, 547, 548); and Regulations 114 (26 CFR, Part 411), relating to the employers' tax, employees' tax, and employee representatives' tax under the Railroad Retirement Tax Act (subchapter B, chapter 9, Internal Revenue Code), to section 209 (d) of such Social Security Act Amendments of 1950 (64 Stat. 547), such regulations are amended as follows:

PARAGRAPH 1. Section 402.201 is amended by inserting after paragraph (q), added by Treasury Decision 5592, approved November 20, 1947, the following new paragraph:

(r) "Social Security Act Amendments of 1950" means the act approved August 28, 1950 (Pub. Law 734, 81st Cong.; 64 Stat. 477).

PAR. 2. Immediately preceding § 402.306, the following is inserted:

SECTION 206 (b) (2) OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1950

Section 1403 (a) of the Internal Revenue Code is amended by striking out the first sentence and inserting in lieu thereof the following: "Every employer shall furnish to each of his employees a written statement or statements, in a form suitable for retention by the employee, showing the wages paid by him to the employee before January 1, 1951. (For corresponding provisions with respect to wages paid after December 31, 1950, see section 1633.)"

PAR. 3. Immediately preceding § 402.704, the following is inserted:

SECTION 209 (c) OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1950

If a corporation (hereinafter referred to as a predecessor) incorporated under the laws of one State is succeeded after 1945 and before 1951 by another corporation (hereinafter referred to as a successor) incorporated under the laws of another State, and if immediately upon the succession the business of the successor is identical with that of the predecessor and, except for qualifying shares, the proportionate interest of each shareholder in the successor is identical with his proportionate interest in the predecessor, and if in connection with the succession the predecessor is dissolved or merged into the successor, and if the predecessor and the successor are employers under the Federal Insurance Contributions Act and the Federal Unemployment Tax Act in the calendar year in which the succession takes place, then—

(1) the predecessor and successor corporations, for purposes only of the application of the $3,000 limitation in the definition of wages under such Acts, shall be considered as one employer for such calendar year, and

(2) the successor shall, subject to the applicable statutes of limitations, be entitled to a credit or refund, without interest, of any tax under section 1410 of the Federal Insurance Contributions Act or section 1600 of the Federal Unemployment Tax Act (together with any interest or penalty thereon) paid with respect to remuneration paid by the successor during such calendar year which would not have been subject to tax under such Acts if the remuneration had been paid by the predecessor.

PAR. 4. Immediately preceding § 402.705, the following is inserted:

SECTION 203 (b) OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1950

So much of section 1401 (d) (2) of the Internal Revenue Code as precedes the second sentence thereof is amended to read as follows:

(2) *Wages received during 1947, 1948, 1949, and 1950.* If by reason of an employee receiving wages from more than one employer during the calendar year 1947, 1948, 1949, or 1950, the wages received by him during such year exceed $3,000, the employee shall be entitled to a refund of any amount of tax, with respect to such wages, imposed by section 1400 and deducted from the employee's wages (whether or not paid to the collector), which exceeds the tax with respect to the first $3,000 of such wages received.

PAR. 5. Immediately after the provisions of law under the caption "Section 6 of the Act of August 27, 1949 (Public Law 271, 81st Congress)", added by Treasury Decision 5794, approved July 6, 1950, as set forth after § 402.804, the following is inserted:

SECTION 209 (d) OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1950

(1) Section 1631 of the Internal Revenue Code is amended to read as follows:

SEC. 1631. FAILURE OF EMPLOYER TO FILE RETURN.

In case of a failure to make and file any return required under this chapter within the time prescribed by law or prescribed by the Commissioner in pursuance of law, unless it is shown that such failure is due to reasonable cause and not to willful neglect, the addition to the tax or taxes required to be shown on such return shall not be less than $5.

(2) The amendment made by paragraph (1) shall be applicable only with respect to returns filed after December 31, 1950.

PAR. 6. Immediately preceding the caption "Section 3797 (a) and (b) of the Internal Revenue Code" as set forth preceding § 403.201, the following is inserted:

SECTION 209 (a) AND (b) OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1950

(a) (1) Section 1607 (b) of the Internal Revenue Code is amended to read as follows:

(b) *Wages.* The term "wages" means all remuneration for employment, including the cash value of all remuneration paid in any medium other than cash; except that such terms shall not include—

(1) That part of the remuneration which, after remuneration (other than remuneration referred to in the succeeding paragraphs of this subsection) equal to $3,000 with respect to employment has been paid to an individual by an employer during any calendar year, is paid to such individual by such employer during such calendar year. If an employer (hereinafter referred to as successor employer) during any calendar year acquires substantially all the property used in a trade or business of another employer (hereinafter referred to as a predecessor), or used in a separate unit of a trade or business of a predecessor, and immediately after the acquisition employs in his trade or business an individual who immediately prior to the acquisition was employed in the trade or business of such predecessor, then, for the purpose of determining whether the successor employer has paid remuneration (other than remuneration referred to in the succeeding paragraphs of this subsection) with respect to employment equal to $3,000 to such individual during such calendar year, any remuneration (other than remuneration referred to in the succeeding paragraphs of this subsection) with respect to employment paid (or considered under this paragraph as having been paid) to such individual by such predecessor during such calendar year and prior to such acquisition shall be considered as having been paid by such successor employer;

(2) The amount of any payment (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment) made to, or on behalf of, an employee or any of his dependents under a plan or system established by an employer which makes provision for his employees generally (or for his employees generally and their dependents) or for a class or classes of his employees (or for a class or classes of his employees and their dependents), on account of (A) retirement, or (B) sickness or accident disability, or (C) medical or hospitalization expenses in connection with sickness or accident disability, or (D) death;

(3) Any payment made to an employee (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment) on account of retirement;

(4) Any payment on account of sickness or accident disability, or medical or hospitalization expenses in connection with sickness or accident disability, made by an employer to, or on behalf of, an employee after the expiration of six calendar months following the last calendar month in which the employee worked for such employer;

(5) Any payment made to, or on behalf of, an employee or his beneficiary (A) from or to a trust exempt from tax under section 165 (a) at the time of such payment unless such payment is made to an employee of the trust as remuneration for services rendered as such employee and not as a beneficiary of the trust, or (B) under or to an annuity plan which, at the time of such payment, meets the requirements of section 165 (a) (3), (4), (5), and (6);

(6) The payment by an employer (without deduction from the remuneration of the employee) (A) of the tax imposed upon an employee under section 1400, or (B) of any payment required from an employee under a State unemployment compensation law;

(7) Remuneration paid in any medium other than cash to an employee for service not in the course of the employer's trade or business;

(8) Any payment (other than vacation or sick pay) made to an employee after the month in which he attains the age of sixty-five, if he did not work for the employer in the period for which such payment is made;

(9) Dismissal payments which the employer is not legally required to make.

(2) The amendment made by paragraph (1) shall be applicable only with respect to remuneration paid after 1950. In the case of remuneration paid prior to 1951, the determination under section 1607 (b) (1) of

the Internal Revenue Code (prior to its amendment by this Act) of whether or not such remuneration constituted wages shall be made as if paragraph (1) of this subsection had not been enacted and without inferences drawn from the fact that the amendment made by paragraph (1) is not made applicable to periods prior to 1951.

(3) Effective with respect to remuneration paid after December 31, 1951, section 1607 (b) of the Internal Revenue Code is amended by changing the semicolon at the end of paragraph (8) to a period and by striking out paragraph (9) thereof.

(b) (1) Section 1607 (c) (3) of the Internal Revenue Code is amended to read as follows:

(3) Service not in the course of the employer's trade or business performed in any calendar quarter by an employee, unless the cash remuneration paid for such service is $50 or more and such service is performed by an individual who is regularly employed by such employer to perform such service. For the purposes of this paragraph, an individual shall be deemed to be regularly employed by an employer during a calendar quarter only if (A) on each of some twenty-four days during such quarter such individual performs for such employer for some portion of the day service not in the course of the employer's trade or business, or (B) such individual was regularly employed (as determined under clause (A)) by such employer in the performance of such service during the preceding calendar quarter;

(2) Section 1607 (c) (10) (A) (i) of the Internal Revenue Code is amended by striking out "does not exceed $45" and inserting in lieu thereof "is less than $50".

(3) Section 1607 (c) (10) (E) of the Internal Revenue Code is amended by striking out "in any calendar quarter" and by striking out ", and the remuneration for such service does not exceed $45 (exclusive of room, board, and tuition)".

(4) The amendments made by paragraphs (1), (2), and (3) shall be applicable only with respect to service performed after 1950.

PAR. 7. Section 403.201 is amended by inserting after paragraph (n), added by Treasury Decision 5566, approved June 23, 1947, the following new paragraph:

(o) "Social Security Act Amendments of 1950" means the act approved August 28, 1950 (Pub. Law 734, 81st Cong.; 64 Stat. 477).

PAR. 8. Section 403.202, as amended by Treasury Decision 5566, is further amended by striking out the parenthetical sentence at the end of paragraph (c) and inserting in lieu thereof the following: "(See §§ 403.227, 403.228, and 403.228a, relating to wages.)"

PAR. 9. Section 403.203 (a), as amended by Treasury Decision 5665, approved November 1, 1948, is further amended as follows:

(A) By striking out in the first sentence "and as further amended" and inserting in lieu thereof "and as amended".

(B) By striking out the period at the end of the first sentence and inserting in lieu thereof a comma and the following: "and as further amended, effective January 1, 1951, by section 209 (b) of the Social Security Act Amendments of 1950."

(C) By striking out in the second sentence "(except §§ 403.227 and 403.228, relating to wages)" and inserting in lieu thereof "(except §§ 403.227, 403.228, and 403.228a, relating to wages)".

PAR. 10. Section 403.204 is amended by striking out paragraph (g) and inserting in lieu thereof the following paragraph:

(g) All classes or grades of employees are included within the relationship of employer and employee. Thus, superintendents, managers, and other superior employees are employees. Generally, an officer of a corporation is an employee of the corporation. However, an officer of a corporation who as such does not perform any services or performs only minor services and who neither receives nor is entitled to receive, directly or indirectly, any remuneration is not considered to be an employee of the corporation. A director of a corporation in his capacity as such is not an employee of the corporation.

PAR. 11. Section 403.206 (a), as amended by Treasury Decision 5665, is further amended as follows:

(A) By striking out in the first sentence "and as further amended" and inserting in lieu thereof "and as amended".

(B) By striking out the period at the end of the first sentence and inserting in lieu thereof a comma and the following: "and as further amended, effective January 1, 1951, by section 209 (b) of the Social Security Act Amendments of 1950."

PAR. 12. Immediately preceding § 403.210, the following is inserted:

SECTION 209 (b) (1) AND (4) OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1950

(1) Section 1607 (c) (3) of the Internal Revenue Code is amended to read as follows:

(3) Service not in the course of the employer's trade or business performed in any calendar quarter by an employee, unless the cash remuneration paid for such service is $50 or more and such service is performed by an individual who is regularly employed by such employer to perform such service. For the purposes of this paragraph, an individual shall be deemed to be regularly employed by an employer during a calendar quarter only if (A) on each of some twenty-four days during such quarter such individual performs for such employer for some portion of the day service not in the course of the employer's trade or business, or (B) such individual was regularly employed (as determined under clause (A)) by such employer in the performance of such service during the preceding calendar quarter;

(4) The amendments made by paragraphs (1) * * * shall be applicable only with respect to service performed after 1950.

PAR. 13. Section 403.210 is amended as follows:

(A) By revising the heading thereof to read as follows:

§ 403.210 *Services not in the course of employer's trade or business*—(a) *Casual labor performed prior to January 1, 1951.*

(B) By redesignating paragraphs (a) through (e), prior to the foregoing amendment, as (a) (1) through (5) and amending (a) (1) as so redesignated to read as follows:

(1) Casual labor not in the course of the employer's trade or business performed prior to January 1, 1951, is excepted. The term "casual labor" includes labor which is occasional, incidental, or irregular.

(C) By inserting at the end of paragraph (a) of § 403.210 as so amended the following:

(b) *Services performed after December 31, 1950.* (1) Services not in the course of the employer's trade or business performed after December 31, 1950, by an employee for an employer in a calendar quarter are excepted unless—

(i) The cash remuneration paid for such services performed by the employee for the employer in the calendar quarter is $50 or more; and

(ii) Such employee is regularly employed in the calendar quarter by such employer to perform such services.

Unless the tests set forth in both subdivisions (i) and (ii) of this subparagraph are met, the services are excepted from employment.

(2) The term "services not in the course of the employer's trade or business" includes services that do not promote or advance the trade or business of the employer. Services performed for a corporation do not come within the exception.

(3) The test relating to cash remuneration of $50 or more is based on the remuneration earned during a calendar quarter rather than on the remuneration paid in a calendar quarter. However, for purposes of determining whether the test is met, it is also required that the remuneration be paid, although it is immaterial when the remuneration is paid. Furthermore, in determining whether $50 or more has been paid for services not in the course of the employer's trade or business, only cash remuneration for such services shall be taken into account. The term "cash remuneration" includes checks and other monetary media of exchange. Remuneration paid in any other medium, such as lodging, food, or other goods or commodities, is disregarded in determining whether the cash-remuneration test is met.

(4) For the purposes of this exception, an individual is deemed to be regularly employed by an employer during a calendar quarter only if:

(i) Such individual performs services not in the course of the employer's trade or business for such employer for some portion of the day on at least 24 days (whether or not consecutive) during such calendar quarter; or

(ii) Such individual was regularly employed (as determined under subdivision (i) of this subparagraph) by such employer in the performance of services not in the course of the employer's trade or business during the preceding calendar quarter (including the last calendar quarter of 1950).

(5) In determining whether an employer has performed services not in the course of the employer's trade or business on at least 24 days during a calendar quarter, there shall be counted as one day—

(i) Any day or portion thereof on which the employee actually performs such services; and

(ii) Any day or portion thereof on which the employee does not perform

services of the prescribed character but with respect to which cash remuneration is paid or payable to the employee for such services, such as a day on which the employee is sick or on vacation.

An employee who on a particular day reports for work and, at the direction of his employer, holds himself in readiness to perform services not in the course of the employer's trade or business shall be considered to be engaged in the actual performance of such services on that day. For the purposes of this exception, a day is a period of 24 hours commencing at midnight and ending at midnight.

(6) For provisions relating to the exclusion from wages of remuneration paid in any medium other than cash for services not in the course of the employer's trade or business, see § 403.228a (g).

PAR. 14. Immediately preceding the caption "Section 101 of the Internal Revenue Code" as set forth preceding § 403.217, the following is inserted:

SECTION 209 (b) (2) AND (4) OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1950

(2) Section 1607 (c) (10) (A) (i) of the Internal Revenue Code is amended by striking out "does not exceed $45" and inserting in lieu thereof "is less than $50".

(4) The amendments made by paragraphs * * * (2) * * * shall be applicable only with respect to service performed after 1950.

PAR. 15. Under the caption "Section 101 of the Internal Revenue Code" as set forth preceding § 403.217, the provision of law "(1) Labor * * * organizations;" is stricken out, and there is inserted in lieu thereof "(1) Labor, agricultural, or horticultural organizations;".

PAR. 16. Immediately preceding § 403.217, the following is inserted:

SECTION 301 (b) AND (c) [OF PART I, TITLE III] OF THE REVENUE ACT OF 1950 (PUB. LAW 814, 81ST CONG., APPROVED SEPTEMBER 23, 1950)

(b) *Feeder organizations.* Section 101 [Internal Revenue Code] is hereby amended by adding at the end thereof the following paragraph:

An organization operated for the primary purpose of carrying on a trade or business for profit shall not be exempt under any paragraph of this section on the ground that all of its profits are payable to one or more organizations exempt under this section from taxation. For the purposes of this paragraph the term "trade or business" shall not include the rental by an organization of its real property (including personal property leased with the real property).

(c) *Technical amendments.* (1) Section 101 is hereby amended (A) by striking out "The following organizations shall be exempt" and inserting in lieu thereof "Except as provided in supplement U, the following organizations shall be exempt", and (B) by adding at the end of such section (following the paragraph added by subsection (b) of this section) the following paragraph:

Notwithstanding supplement U, an organization described in this section (other than in the preceding paragraph) shall be considered an organization exempt from income taxes for the purpose of any law which refers to organizations exempt from income taxes.

* * * * *

SECTION 303 OF THE REVENUE ACT OF 1950 (PUB. LAW 814, 81ST CONG., APPROVED SEPTEMBER 23, 1950)

EFFECTIVE DATE OF PART I

The amendments made by this part [part I, title III, Revenue Act of 1950] shall be applicable only with respect to taxable years beginning after December 31, 1950. The determination as to whether an organization is exempt under section 101 of the Internal Revenue Code from taxation for any taxable year beginning before January 1, 1951, shall be made as if section 301 (b) of this Act had not been enacted and without inferences drawn from the fact that the amendment made by such section is not expressly made applicable with respect to taxable years beginning before January 1, 1951.

SECTION 11 (b) OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950 (PUB. LAW 831, 81ST CONG., ENACTED SEPTEMBER 23, 1950)

No organization shall be entitled to exemption from Federal income tax, under section 101 of the Internal Revenue Code, for any taxable year if at any time during such taxable year (1) such organization is registered under section 7, or (2) there is in effect a final order of the Board [Subversive Activities Control Board] requiring such organization to register under section 7.

SECTION 313 (a), (b), AND (j) OF THE REVENUE ACT OF 1951 (PUB. LAW 183, 82D CONG., APPROVED OCTOBER 20, 1951)

(a) *Mutual savings banks.* Section 101 (2) (relating to exemption from tax of mutual savings banks) is hereby repealed.

(b) *Building and loan associations and cooperative banks.* Section 101 (4) (relating to exemption from tax of building and loan associations and cooperative banks) is hereby amended to read as follows:

(4) Credit unions without capital stock organized and operated for mutual purposes and without profit; and corporations or associations without capital stock organized prior to September 1, 1951, and operated for mutual purposes and without profit for the purpose of providing reserve funds for, and insurance of, shares or deposits in—

(A) domestic building and loan associations,

(B) cooperative banks without capital stock organized and operated for mutual purposes and without profit, or

(C) mutual savings banks not having capital stock represented by shares;

(j) *Effective date.* The amendments made by this section shall be applicable only with respect to taxable years beginning after December 31, 1951.

SECTION 314 (a), (b), AND (d) OF THE REVENUE ACT OF 1951 (PUB. LAW 183, 82D CONG., APPROVED OCTOBER 20, 1951)

(a) *Amendment of section 101 (12).* Section 101 (12) is hereby amended as follows:

(1) By inserting after "(12)" the following: "(A)".

(2) By inserting after such paragraph the following:

(B) * * *.

(b) *Technical amendments.* (1) Section 101 is hereby amended by striking out "Except as provided in supplement U" and inserting in lieu thereof the following: "Except as provided in paragraph (12) (B) and in supplement U".

(2) The last sentence of section 101 is hereby amended by striking out "Notwithstanding supplement U" and inserting in lieu thereof "Notwithstanding paragraph (12) (B) and supplement U".

(d) *Effective date.* The amendments made by subsections (a) and (b) of this section shall be applicable only with respect to taxable years beginning after December 31, 1951. * * *

PAR. 17. Section 403.217 (b) is amended to read as follows:

(b) *Remuneration not in excess of specified amount for calendar quarter—*(1) *Remuneration not in excess of $45 for calendar quarter before 1951.* Services performed by an employee in a calendar quarter before 1951 in the employ of an organization exempt from income tax under section 101 of the Internal Revenue Code are excepted, if the remuneration for the services does not exceed $45. The exception applies separately with respect to each organization for which the employee renders services in a calendar quarter. A calendar quarter is a period of three calendar months ending on March 31, June 30, September 30, or December 31. The type of services performed by the employee and the place where the services are performed are immaterial; the statutory tests are the character of the organization in the employ of which the services are performed and the amount of the remuneration for services performed by the employee in the calendar quarter.

(2) *Remuneration less than $50 for calendar quarter after 1950.* Services performed by an employee in a calendar quarter after 1950 in the employ of an organization exempt from income tax under section 101 of the Internal Revenue Code are excepted, if the remuneration for the services is less than $50. The exception applies separately with respect to each organization for which the employee renders services in a calendar quarter. A calendar quarter is a period of three calendar months ending on March 31, June 30, September 30, or December 31. The type of services performed by the employee and the place where the services are performed are immaterial; the statutory tests are the character of the organization in the employ of which the services are performed and the amount of the remuneration for services performed by the employee in the calendar quarter.

Example (1). X is a local lodge of a fraternal organization and is exempt from income tax under section 101 (3) of the Internal Revenue Code. X has a number of paid employees, among them being A who serves exclusively as recording secretary for the lodge, and B who performs services for the lodge as janitor of its clubhouse. For services performed during the first calendar quarter of 1951 (that is, January 1, 1951, through March 31, 1951, both dates inclusive) A earns a total of $30. For services performed during the same calendar quarter B earns $180. Since the remuneration for the services performed by A during such quarter is less than $50, all of such services are excepted. Thus, A is not counted as an employee in employment on any of the days during such quarter for purposes of determining whether the X organization is an employer (see § 403.205). Even though it is subsequently determined that X is an employer, A's remuneration of $30 for services performed during the first calendar quarter of such year is not subject to tax. B's services, however, are not excepted during such quarter since the remuneration therefor is not less than $50. Thus, B is counted as an employee in employment during all of such quarter for purposes of determining

whether the X organization is an employer. If it is determined that the X organization is an employer, B's remuneration of $180 for services performed during the first calendar quarter is included in computing the tax.

Example (2). The facts are the same as in example (1), above, except that on April 1, 1951, A's salary is increased and, for services performed during the calendar quarter beginning on that date (that is, April 1, 1951, through June 30, 1951, both dates inclusive), A earns $60. Since A's remuneration for services during such quarter is not less than $50, such services are not excepted. A, therefore, is counted as an employee in employment during all of such quarter for purposes of determining whether the X organization is an employer. If it is determined that the X organization is an employer, A's remuneration of $60 for services performed during the second calendar quarter is included in computing the tax.

Example (3). The facts are the same as in example (1), above, except that A earns $120 for services performed during the year 1951, and such amount is paid to him in a lump sum at the end of the year. The services performed by A in any calendar quarter during the year are excepted if the portion of the $120 attributable to services performed in that quarter is less than $50. In such case, A is not counted as an employee in employment on any of the days during such quarter for purposes of determining whether the X organization is an employer. If, however, the portion of the $120 attributable to services performed in any calendar quarter during the year is not less than $50, the services during that quarter are not excepted. In the latter case, A is counted as an employee in employment during all of such quarter and, if the X organization is determined to be an employer, that portion of the $120 attributable to services performed in such quarter is included in computing the tax.

PAR. 18. The provisions of law under the caption "Section 101 (1) of the Internal Revenue Code", together with the caption and heading, as set forth immediately preceding § 403.218, are stricken out.

PAR. 19. Immediately preceding § 403.221, the following is inserted:

SECTION 209 (b) (3) AND (4) OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1950

(3) Section 1607 (c) (10) (E) of the Internal Revenue Code is amended by striking out "in any calendar quarter" and by striking out ", and the remuneration for such service does not exceed $45 (exclusive of room, board, and tuition)".

(4) The amendments made by paragraphs * * * (3) shall be applicable only with respect to service performed after 1950.

PAR. 20. Section 403.221 is amended to read as follows:

§ 403.221 *Students employed by schools, colleges, or universities not exempt from income tax*—(a) *In general.* (1) This section deals with the exception of services performed by a student in the employ of a school, college, or university not exempt from income tax under section 101 of the Internal Revenue Code. Paragraph (b) of this section applies only with respect to services performed before January 1, 1951. Paragraph (c) of this section applies only with respect to services performed on or after January 1, 1951.

(2) The term "school, college, or university" within the meaning of this exception is to be taken in its commonly or generally accepted sense. (For provisions relating to services performed by a student in the employ of an organization exempt from income tax, see § 403.217 (d).)

(b) *Services performed prior to January 1, 1951.* (1) Services performed in a calendar quarter before 1951 by a student in the employ of a school, college, or university not exempt from income tax under section 101 of the Internal Revenue Code are excepted, if:

(i) The services are performed by a student who is enrolled and is regularly attending classes at such school, college, or university; and

(ii) The remuneration for such services performed in such calendar quarter does not exceed $45, exclusive of room, board, and tuition furnished by the school, college, or university.

(2) A calendar quarter is a period of three calendar months ending on March 31, June 30, September 30, or December 31.

(3) For purposes of this paragraph, the type of services performed by the employee and the place where the services are performed are immaterial; the statutory tests are the character of the organization in the employ of which the services are performed, the amount of remuneration for services performed by the employee in the calendar quarter, and the status of the employee as a student enrolled and regularly attending classes at the school, college, or university in the employ of which he performs the services.

(c) *Services performed after 1950.* (1) Services performed after December 31, 1950, by a student in the employ of a school, college, or university not exempt from income tax under section 101 of the Internal Revenue Code are excepted, if the student is enrolled and is regularly attending classes at such school, college, or university.

(2) For purposes of this paragraph, the type of services performed by the employee, the place where the services are performed, and the amount of remuneration for services performed by the employee are immaterial; the statutory tests are the character of the organization in the employ of which the services are performed and the status of the employee as a student enrolled and regularly attending classes at the school, college, or university in the employ of which he performs the services.

PAR. 21. Immediately preceding § 403.227, the following is inserted:

SECTION 209 (a) OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1950

(1) Section 1607 (b) of the Internal Revenue Code is amended to read as follows:

(b) *Wages.* The term "wages" means all remuneration for employment, including the cash value of all remuneration paid in any medium other than cash; except that such term shall not include—

(1) That part of the remuneration which, after remuneration (other than remuneration referred to in the succeeding paragraphs of this subsection) equal to $3,000 with respect to employment has been paid to an individual by an employer during any calendar year, is paid to such individual by such employer during such calendar year. If an employer (hereinafter referred to as successor employer) during any calendar year acquires substantially all the property used in a trade or business of another employer (hereinafter referred to as a predecessor), or used in a separate unit of a trade or business of a predecessor, and immediately after the acquisition employs in his trade or business an individual who immediately prior to the acquisition was employed in the trade or business of such predecessor, then, for the purpose of determining whether the successor employer has paid remuneration (other than remuneration referred to in the succeeding paragraphs of this subsection) with respect to employment equal to $3,000 to such individual during such calendar year, any remuneration (other than remuneration referred to in the succeeding paragraphs of this subsection) with respect to employment paid (or considered under this paragraph as having been paid) to such individual by such predecessor during such calendar year and prior to such acquisition shall be considered as having been paid by such successor employer;

(2) The amount of any payment (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment) made to, or on behalf of, an employee or any of his dependents under a plan or system established by an employer which makes provision for his employees generally (or for his employees generally and their dependents) or for a class or classes of his employees (or for a class or classes of his employees and their dependents), on account of (A) retirement, or (B) sickness or accident disability, or (C) medical or hospitalization expenses in connection with sickness or accident disability, or (D) death;

(3) Any payment made to an employee (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment) on account of retirement;

(4) Any payment on account of sickness or accident disability, or medical or hospitalization expenses in connection with sickness or accident disability, made by an employer to, or on behalf of, an employee after the expiration of six calendar months following the last calendar month in which the employee worked for such employer;

(5) Any payment made to, or on behalf of, an employee or his beneficiary (A) from or to a trust exempt from tax under section 165 (a) at the time of such payment unless such payment is made to an employee of the trust as remuneration for services rendered as such employee and not as a beneficiary of the trust, or (B) under or to an annuity plan which, at the time of such payment, meets the requirements of section 165 (a) (3), (4), (5), and (6);

(6) The payment by an employer (without deduction from the remuneration of the employee) (A) of the tax imposed upon an employee under section 1400, or (B) of any payment required from an employee under a State unemployment compensation law;

(7) Remuneration paid in any medium other than cash to an employee for service not in the course of the employer's trade or business;

(8) Any payment (other than vacation or sick pay) made to an employee after the month in which he attains the age of sixty-five, if he did not work for the employer in the period for which such payment is made;

(9) Dismissal payments which the employer is not legally required to make.

(2) The amendment made by paragraph (1) shall be applicable only with respect to remuneration paid after 1950. In the case of remuneration paid prior to 1951, the determination under section 1607 (b) (1) of the Internal Revenue Code (prior to its amendment by this Act) of whether or not

such remuneration constituted wages shall be made as if paragraph (1) of this subsection had not been enacted and without inferences drawn from the fact that the amendment made by paragraph (1) is not made applicable to periods prior to 1951.

(3) Effective with respect to remuneration paid after December 31, 1951, section 1607 (b) of the Internal Revenue Code is amended by changing the semicolon at the end of paragraph (8) to a period and by striking out paragraph (9) thereof.

PAR. 22. Section 403.227 (a), as amended by Treasury Decision 5805, approved August 30, 1950, is further amended as follows:

(A) By striking out in the first sentence "and as further amended" and inserting in lieu thereof "and as amended".

(B) By striking out the period at the end of the first sentence and inserting in lieu thereof a comma and the following: "and as further amended, effective January 1, 1951, by section 209 (a) of the Social Security Act Amendments of 1950."

(C) By striking out the second sentence and inserting in lieu thereof the following: "This section applies with respect only to remuneration paid on or after January 1, 1940, for employment performed after December 31, 1938. Section 403.228 (relating to exclusions from wages) applies with respect only to remuneration paid on or after January 1, 1940, and prior to January 1, 1951, for employment performed after December 31, 1938. Section 403.228a (relating to exclusions from wages) applies with respect only to remuneration paid on or after January 1, 1951, for employment performed after December 31, 1938."

(D) By striking out in subparagraph (2) "(see § 403.228)" and inserting in lieu thereof "(see §§ 403.228 and 403.228a)".

(E) By striking out in the first sentence of subparagraph (5) the words "The medium" and inserting in lieu thereof the following: "Except in the case of remuneration paid for services not in the course of the employer's trade or business (see § 403.228a (g)), the medium".

PAR. 23. Section 403.228, as amended by Treasury Decision 5566, is further amended as follows:

(A) By striking out the section heading and inserting in lieu thereof the following: "§ 403.228 *Exclusions from wages with respect to remuneration paid prior to January 1, 1951—*".

(B) By adding at the end of the text which immediately precedes the examples in both subdivision (iv) of § 403.228 (a) (2) and subdivision (iv) of section 403.228 (a) (3) the following sentence: "(In connection with the application of the $3,000 limitation, see also section 209 (e) of the Social Security Act Amendments of 1950, set forth preceding § 403.602, relating to certain circumstances under which a predecessor employer and his successor are treated as one employer.)"

(C) By adding at the end of such section the following:

(f) *Applicability of section.* The provisions of this section do not apply with respect to remuneration paid after December 31, 1950.

§ 403.228a *Exclusions from wages with respect to remuneration paid after December 31, 1950*—(a) *$3,000 limitation*—(1) *In general.* (i) The term "wages" does not include that part of the remuneration paid within any calendar year beginning after December 31, 1950, by an employer to an employee which exceeds the first $3,000 of remuneration (exclusive of remuneration excepted from wages in accordance with paragraphs (b) through (j) of this section) paid within such calendar year by such employer to such employee for employment performed for him at any time after December 31, 1938.

(ii) The $3,000 limitation applies only if the remuneration paid during any one calendar year by an employer to the same employee for employment performed after 1938 exceeds $3,000. The limitation in such case relates to the amount of remuneration paid during any one calendar year for employment after 1938 and not to the amount of remuneration for employment performed in any one calendar year.

Example (1). Employer B, in 1951, pays employee A $2,500 on account of $3,000 due him for employment performed in 1951. In 1952 employer B pays employee A the balance of $500 due him for employment performed in the prior year (1951), and thereafter in 1952 also pays A $3,000 for employment performed in 1952. The $2,500 paid in 1951 is subject to tax in 1951. The balance of $500 paid in 1952 for employment during 1951 is subject to tax in 1952, as is also the first $2,500 paid of the $3,000 for employment during 1952 (this $500 for 1951 employment added to the first $2,500 paid for 1952 employment constitutes the maximum wages which could be paid in 1952 by B to A). The final $500 paid by B to A in 1952 is not included as wages and is not subject to the tax.

(iii) If during a calendar year an employee is paid remuneration by more than one employer, the limitation of wages to the first $3,000 of remuneration paid applies, not to the aggregate remuneration paid by all employers with respect to employment performed after 1938, but instead to the remuneration paid during such calendar year by each employer with respect to employment performed after 1938. In such case the first $3,000 paid during the calendar year by each employer constitutes wages and is subject to the tax. (In connection with the application of the $3,000 limitation, see also subparagraph (2) of this paragraph, relating to the circumstances under which wages paid by a predecessor employer are deemed to be paid by his successor.)

Example (2). During 1951 employer D pays to employee C a salary of $600 a month for employment performed for D during the first seven months of 1951, or total remuneration of $4,200. At the end of the fifth month C has been paid $3,000 by employer D, and only that part of his total remuneration from D constitutes wages subject to the tax. The $600 paid to employee C by employer D in the sixth month, and the like amount paid in the seventh month, are not included as wages and are not subject to the tax. At the end of the seventh month C leaves the employ of D and enters the employ of E. Employer E pays to C remuneration of $600 a month in each of the remaining five months of 1951, or total remuneration of $3,000. The entire $3,000 paid by E to employee C constitutes wages and is subject to the tax. Thus, the first $3,000 paid by employer D and the entire $3,000 paid by employer E constitute wages.

Example (3). During the calendar year 1951 F is simultaneously an officer (an employee) of the X Corporation, the Y Corporation, and the Z Corporation, each such corporation being an employer for such year. During such year F is paid a salary of $3,000 by each corporation. Each $3,000 paid to F by each of the corporations, X, Y, and Z (whether or not such corporations are related), constitutes wages and is subject to the tax.

(2) *Wages paid by predecessor attributed to successor.* (i) If an employer (hereinafter referred to as a successor) during any calendar year beginning after December 31, 1950, acquires substantially all the property used in a trade or business of another employer (hereinafter referred to as a predecessor), or used in a separate unit of a trade or business of a predecessor, and if immediately after the acquisition the successor employs in his trade or business an individual who immediately prior to the acquisition was employed in the trade or business of such predecessor, then, for purposes of the application of the $3,000 limitation set forth in subparagraph (1) of this paragraph, any remuneration (exclusive of remuneration excepted from wages in accordance with paragraphs (b) through (j) of this section) with respect to employment paid (or considered under this provision as having been paid) to such individual by such predecessor during such calendar year and prior to such acquisition shall be considered as having been paid by such successor. Wages paid by a predecessor shall not be considered as having been paid by the successor unless both the predecessor and the successor are employers as defined in section 1607 (a) of the act for the calendar year in which the acquisition occurs (see § 403.205, relating to who are employers).

(ii) The wages paid, or considered as having been paid, by a predecessor to an employee shall, for purposes of the $3,000 limitation, be treated as having been paid to such employee by a successor, if:

(a) The successor during a calendar year acquired substantially all the property used in a trade or business, or used in a separate unit of a trade or business, of the predecessor;

(b) Such employee was employed in the trade or business of the predecessor immediately prior to the acquisition and is employed by the successor in his trade or business immediately after the acquisition; and

(c) Such wages were paid during the calendar year in which the acquisition occurred and prior to such acquisition.

(iii) The method of acquisition of the property is immaterial. The acquisition may occur as a consequence of a corporate merger or consolidation, the incorporation of a business by a sole proprietor or a partnership, the continuance of the business without interruption by a new partnership resulting from the death or retirement of a former partner or the admission of a new partner, or a purchase or any other transaction

whereby substantially all the property used in a trade or business, or used in a separate unit of a trade or business, of one employer is acquired by another employer.

(iv) Substantially all the property used in a separate unit of a trade or business may consist of substantially all the property used in the performance of an essential operation of the trade or business, or it may consist of substantially all the property used in a relatively self-sustaining entity which forms a part of the trade or business.

Example (1). The M Corporation which is engaged in the manufacture of automobiles, including the manufacture of automobile engines, discontinues the manufacture of the engines and transfers all the property used in such manufacturing operation to the N Company. The N Company is considered to have acquired a separate unit of the trade or business of the M Corporation, namely, its engine manufacturing unit.

Example (2). The R Corporation which is engaged in the operation of a chain of grocery stores transfers one of such stores to the S Company. The S Company is considered to have acquired a separate unit of the trade or business of the R Corporation.

(v) A successor may receive credit for wages paid to an employee by a predecessor only if immediately prior to the acquisition the employee was employed by the predecessor in his trade or business which was acquired by the successor and if immediately after the acquisition such employee is employed by the successor in his trade or business (whether or not in the same trade or business in which the acquired property is used). If the acquisition involves only a separate unit of a trade or business of the predecessor, the employee need not have been employed by the predecessor in that unit provided he was employed in the trade or business of which the acquired unit was a part.

(vi) The application of the foregoing provisions may be illustrated by the following example:

Example (3). The Y Corporation in 1951 acquires all the property of the X Manufacturing Company and immediately after the acquisition employs in its trade or business employee A, who, immediately prior to the acquisition, was employed by the X Company. Both the Y Corporation and the X Company are employers, as defined in the act, for the calendar year 1951. The X Company has in 1951 (the calendar year in which the acquisition occurs) and prior to the acquisition paid $2,000 of wages to A. The Y Corporation in 1951 pays to A remuneration with respect to employment of $2,000. Only $1,000 of such remuneration is considered to be wages. For the purposes of the $3,000 limitation, the Y Corporation is credited with the $2,000 paid to A by the X Company. If, in the same calendar year, the property is acquired from the Y Corporation by the Z Company, an employer for such year, and A immediately after the acquisition is employed by the Z Company in its trade or business, no part of the remuneration paid to A by the Z Company in the year of the acquisition will be considered to be wages. The Z Company will be credited with the remuneration paid to A by the Y Corporation and also with the wages paid to A by the X Company (considered for purposes of the application of the $3,000 limitation as having also been paid by the Y Corporation).

(b) *Employers' plans providing for payments on account of retirement, sickness or accident disability, medical or hospitalization expenses, or death.* (1) The term "wages" does not include the amount of any payment (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment) made to, or on behalf of, an employee or any of his dependents under a plan or system established by an employer which makes provision for his employees generally (or for his employees generally and their dependents) or for a class or classes of his employees (or for a class or classes of his employees and their dependents), on account of:

(i) An employee's retirement,

(ii) Sickness or accident disability of an employee or any of his dependents,

(iii) Medical or hospitalization expenses in connection with sickness or accident disability of an employee or any of his dependents, or

(iv) Death of an employee or any of his dependents.

(2) The plan or system established by an employer need not provide for payments on account of all of the specified items, but such plan or system may provide for any one or more of such items. Payments for any one or more of such items under a plan or system established by an employer solely for the dependents of his employees are not within this exclusion from wages.

(3) Dependents of an employee include the employee's husband or wife, children, and any other members of the employee's immediate family.

(4) It is immaterial for purposes of this exclusion whether the amount or possibility of such benefit payments is taken into consideration in fixing the amount of an employee's remuneration or whether such payments are required, expressly or impliedly, by the contract of service.

(c) *Retirement payments.* The term "wages" does not include any payment made by an employer to an employee (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment) on account of the employee's retirement. Thus, payments made to an employee on account of his retirement are excluded from wages under this exception even though not made under a plan or system.

(d) *Payments on account of sickness or accident disability, or medical or hospitalization expenses.* The term "wages" does not include any payment made by an employer to, or on behalf of, an employee on account of the employee's sickness or accident disability or the medical or hospitalization expenses in connection with the employee's sickness or accident disability, if such payment is made after the expiration of six calendar months following the last calendar month in which such employee worked for such employer. Such payments are excluded from wages under this exception even though not made under a plan or system. If the employee does not actually perform services for the employer during the requisite period, the existence of the employer-employee relationship during that period is immaterial.

(e) *Payments from or to certain tax-exempt trusts or under or to certain annuity plans.* The term "wages" does not include—

(1) Any payment made by an employer, on behalf of an employee or his beneficiary, into a trust or annuity plan, if at the time of such payment the trust is exempt from tax under section 165 (a) of the Internal Revenue Code or the annuity plan meets the requirements of section 165 (a) (3), (4), (5), and (6) of the Internal Revenue Code; or

(2) Any payment made to, or on behalf of, an employee or his beneficiary from a trust or under an annuity plan, if at the time of such payment the trust is exempt from tax under section 165 (a) of the Code or the annuity plan meets the requirements of section 165 (a) (3), (4), (5), and (6) of the Code.

A payment made to an employee of a trust exempt from tax under section 165 (a) of the Code for services rendered as an employee of such trust and not as a beneficiary of the trust is not within this exclusion from wages.

(f) *Payment by an employer of employees' tax or employees' contributions under a State law.* The term "wages" does not include any payment by an employer (without deduction from the remuneration of, or other reimbursement from, the employee) of either (1) the employee tax imposed by section 1400 of the Federal Insurance Contributions Act, or (2) any payment required from an employee under a State unemployment compensation law.

(g) *Payments other than in cash for services not in the course of employer's trade or business.* The term "wages" does not include remuneration paid in any medium other than cash for services not in the course of the employer's trade or business. Cash remuneration includes checks and other monetary media of exchange. Remuneration paid in any medium other than cash, such as lodging, food, or other goods or commodities, for services of the prescribed character does not constitute wages. Remuneration paid in any medium other than cash for other types of services does not come within this exclusion from wages. For provisions relating to the circumstances under which services not in the course of the employer's trade or business do not constitute employment, see § 403.210.

(h) *Payments to stand-by employees.* The term "wages" does not include any payment (other than vacation or sick pay) made by an employer to an employee after the calendar month in which the employee attains age 65, if:

(1) Such employee does no work (other than being subject to call for the performance of work) for such employer in the period for which such payment is made; and

(2) The employer-employee relationship exists between the employer and employee throughout the period for which such payment is made.

Vacation or sick pay is not within this exclusion from wages. If the employee does any work for the employer in the period for which the payment is made, no remuneration paid by such employer

to such employee with respect to such period is within this exclusion from wages. For example, if employee A is employed by the X Company on a stand-by basis and, after he has attained the age of 65, is paid $200 by the X Company for being subject to call during the month of January 1951 and an additional $25 for work performed for the X Company on one day during that month, then none of the $225 is excluded from wages under this exception.

(i) *Dismissal payments.* Any payment made by an employer to an employee on account of dismissal, that is, involuntary separation from the service of the employer, is excluded from "wages", provided the employer is not legally bound by contract, statute, or otherwise, to make such payment. This exclusion does not apply with respect to remuneration paid after December 31, 1951.

(j) *Miscellaneous.* In addition to the exclusions specified in paragraphs (a) through (i) of this section, the following types of payments are excluded from wages:

(1) Remuneration for services which do not constitute employment under section 1607 (c) of the act;

(2) Remuneration for services which are deemed not to be employment under section 1607 (d) of the act; and

(3) Tips or gratuities paid directly to an employee by a customer of an employer, and not accounted for by the employee to the employer.

(k) *Applicability of section.* The provisions of this section apply only with respect to remuneration paid after December 31, 1950.

PAR. 24. Section 403.302 is amended by striking out in the parenthetical cross reference "§§ 403.227 and 403.228" and by inserting in lieu thereof "§§ 403.227, 403.228, and 403.228a".

PAR. 25. Immediately preceding § 403.501, the following is inserted:

SECTION 207 (b) (1) OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1950

Section 3312 of the Internal Revenue Code is amended by inserting immediately after the words "gift taxes" (which words immediately precede subsection (a) thereof) a comma and the following: "and except as otherwise provided in section 1635 with respect to employment taxes under subchapters A and D of chapter 9".

PAR. 26. Section 403.505 is amended by striking out the last sentence of paragraph (a) and inserting in lieu thereof the following sentence: "If filed within the prescribed time the statement so made will relieve the employer from liability for the addition to tax imposed for the delinquent filing of the return (see §§ 403.605 (a) and 403.605a, relating to the addition to tax), provided that, without unnecessary delay, such tentative return is supplemented by a return made on the proper form."

PAR. 27. Section 403.506 is amended by striking out in the fifth sentence "§ 403.605 (a)" and inserting in lieu thereof "§§ 403.605 (a) and 403.605a".

PAR. 28. Section 403.508 is amended by striking out in the last sentence "and 403.605" and inserting in lieu thereof "403.605, and 403.605a."

PAR. 29. Section 403.511 (a) (1) (ii) is amended by striking out "(see §§ 403.227 and 403.228)" and inserting in lieu thereof "(see §§ 403.227, 403.228, and 403.228a)".

PAR. 30. Immediately preceding § 403.602, the following is inserted:

SECTION 209 (e) OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1950

If a corporation (hereinafter referred to as a predecessor) incorporated under the laws of one State is succeeded after 1945 and before 1951 by another corporation (hereinafter referred to as a successor) incorporated under the laws of another State, and if immediately upon the succession the business of the successor is identical with that of the predecessor and, except for qualifying shares, the proportionate interest of each shareholder in the successor is identical with his proportionate interest in the predecessor, and if in connection with the succession the predecessor is dissolved or merged into the successor, and if the predecessor and the successor are employers under the Federal Insurance Contributions Act and the Federal Unemployment Tax Act in the calendar year in which the succession takes place, then—

(1) the predecessor and successor corporations, for purposes only of the application of the $3,000 limitation in the definition of wages under such Acts, shall be considered as one employer for such calendar year, and

(2) the successor shall, subject to the applicable statutes of limitations, be entitled to a credit or refund, without interest, of any tax under section 1410 of the Federal Insurance Contributions Act or section 1600 of the Federal Unemployment Tax Act (together with any interest or penalty thereon) paid with respect to remuneration paid by the successor during such calendar year which would not have been subject to tax under such Acts if the remuneration had been paid by the predecessor.

PAR. 31. Section 403.603, as amended by Treasury Decision 5794, approved July 6, 1950, is further amended by striking out "provided by section 1631" and inserting in lieu thereof "imposed in certain cases for the delinquent payment of the tax (see § 403.605a, relating to the minimum addition to the tax)".

PAR. 32. Section 403.605 (a), as amended by Treasury Decision 5794, is further amended by striking out in the second sentence of subparagraph (1) "provided by section 1631" and inserting in lieu thereof "imposed for the delinquent filing of the return (see § 403.605a, relating to the minimum addition to the tax)".

PAR. 33. Immediately after the provisions of law under the caption "Section 6 of the Act of August 27, 1949 (Public Law 271, 81st Cong.)", added by Treasury Decision 5794, as set forth after § 403.605, the following is inserted:

SECTION 209 (d) OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1950

(1) Section 1631 of the Internal Revenue Code is amended to read as follows:

SEC. 1631. FAILURE OF EMPLOYER TO FILE RETURN.

In case of a failure to make and file any return required under this chapter within the time prescribed by law or prescribed by the Commissioner in pursuance of law, unless it is shown that such failure is due to reasonable cause and not to willful neglect, the addition to the tax or taxes required to be shown on such return shall not be less than $5.

(2) The amendment made by paragraph (1) shall be applicable only with respect to returns filed after December 31, 1950.

§ 403.605a *Minimum addition to the tax*—(a) *Returns filed prior to January 1, 1951.* (1) In the case of returns required to be filed or tax which becomes due on or after August 27, 1949, if a person fails to make and file a return required by the regulations in this part, or pay the tax, within the prescribed time, unless it is shown that the failure is due to reasonable cause and not to willful neglect, the addition to the tax shall not be less than $5. (See §§ 403.506 and 403.507, relating to the time for filing returns, and §§ 403.508 and 403.509, relating to the time for payment of tax.) This provision is to be applied in accordance with the following rules:

(i) In the case of failure to make and file a return within the prescribed time, the addition to the tax shall be computed as provided by section 3612 (d) (1) of the Internal Revenue Code (see § 403.605 (a)) and if less than $5 shall be increased to $5.

(ii) In the case of failure to pay the tax when due, the addition to the tax shall be computed as provided by section 1605 (b) of the act (see § 403.603) and if less than $5 shall be increased to $5.

(iii) In the case of concurrent failure to make and file the return and to pay the tax within the prescribed time, the ad valorem penalty provided by section 3612 (d) (1) of the Internal Revenue Code and the interest provided by section 1605 (b) of the act shall be aggregated and if less than $5 shall be increased to $5.

(2) The provisions of this paragraph apply only with respect to returns filed before January 1, 1951, and to the tax required to be shown on such returns.

(b) *Returns filed after December 31, 1950.* If a person fails to make and file a return required by the regulations in this part within the prescribed time, unless it is shown that the failure is due to reasonable cause and not to willful neglect, the addition to the tax required to be shown on such return shall not be less than $5. (See §§ 403.506 and 403.507, relating to the time for filing returns.) The addition to the tax shall be computed as provided by section 3612 (d) (1) of the Internal Revenue Code (see § 403.605 (a)) and if less than $5 shall be increased to $5. The provisions of this paragraph apply only with respect to returns filed after December 31, 1950.

PAR. 34. Section 411.604 is amended by striking out the last sentence of paragraph (a) and inserting in lieu thereof the following sentence: "If filed within the prescribed time the statement so made will relieve the taxpayer from liability for the addition to tax imposed for the delinquent filing of the return (see §§ 411.905 (a) and 411.905a, relating to the addition to tax): *Provided*, That without unnecessary delay such tentative return is supplemented by a return made on the proper form."

PAR. 35. Section 411.605 is amended by striking out in the seventh sentence "§ 411.905 (a)" and inserting in lieu thereof "§§ 411.905 (a) and 411.905a".

PAR. 36. Section 411.606 is amended by striking out in the last sentence "and 411.905" and inserting in lieu thereof "411.905, and 411.905a".

PAR. 37. Section 411.903, as amended by Treasury Decision 5794, approved July 6, 1950, is further amended by striking out "provided by section 1631" and inserting in lieu thereof "imposed in certain cases for the delinquent payment of the tax (see § 411.905a, relating to the minimum addition to the tax)".

PAR. 38. Section 411.905 (a), as amended by Treasury Decision 5794, is further amended by striking out in the second sentence "provided by section 1631" and inserting in lieu thereof "imposed for the delinquent filing of the return (see § 411.905a, relating to the minimum addition to the tax)".

PAR. 39. Immediately after the provisions of law under the caption "Section 6 of the Act of August 27, 1949 (Public Law 271, 81st Cong.)", added by Treasury Decision 5794, as set forth after § 411.905, the following is inserted:

SECTION 209 (d) OF THE SOCIAL SECURITY ACT AMENDMENTS OF 1950 (PUBLIC LAW 734, 81ST CONGRESS)

(1) Section 1631 of the Internal Revenue Code is amended to read as follows:

SEC. 1631. FAILURE OF EMPLOYER TO FILE RETURN.

In case of a failure to make and file any return required under this chapter within the time prescribed by law or prescribed by the Commissioner in pursuance of law, unless it is shown that such failure is due to reasonable cause and not to willful neglect, the addition to the tax or taxes required to be shown on such return shall not be less than $5.

(2) The amendment made by paragraph (1) shall be applicable only with respect to returns filed after December 31, 1950.

§ 411.905a *Minimum addition to the tax*—(a) *Returns filed prior to January 1, 1951.* (1) In the case of returns required to be filed or tax which becomes due on or after August 27, 1949, if a person fails to make and file a return required by the regulations in this part, or pay the tax, within the prescribed time, unless it is shown that the failure is due to reasonable cause and not to willful neglect, the addition to the tax shall not be less than $5. (See § 411.605, relating to the time for filing returns, and § 411.606, relating to the time for payment of tax.) This provision is to be applied in accordance with the following rules:

(i) In the case of failure to make and file a return within the prescribed time, the addition to the tax shall be computed as provided by section 3612 (d) (1) of the Internal Revenue Code (see § 411.905 (a)) and if less than $5 shall be increased to $5.

(ii) In the case of failure to pay the tax when due, the addition to the tax shall be computed as provided by section 1530 (c) of the act (see § 411.903) and if less than $5 shall be increased to $5.

(iii) In the case of concurrent failure to make and file the return and to pay the tax within the prescribed time, the ad valorem penalty provided by section 3612 (d) (1) of the Internal Revenue Code and the interest provided by section 1530 (c) of the act shall be aggregated and if less than $5 shall be increased to $5.

(2) The provisions of this paragraph apply only with respect to returns filed before January 1, 1951, and to the tax required to be shown on such returns.

(b) *Returns filed after December 31, 1950.* If a person fails to make and file a return required by the regulations in this part within the prescribed time, unless it is shown that the failure is due to reasonable cause and not to willful neglect, the addition to the tax or taxes required to be shown on such return shall not be less than $5. (See § 411.605, relating to the time for filing returns.) The addition to the tax shall be computed as provided by section 3612 (d) (1) of the Internal Revenue Code (see § 411.905 (a)) and if less than $5 shall be increased to $5. The provisions of this paragraph apply only with respect to returns filed after December 31, 1950.

[F. R. Doc. 52-2288; Filed, Feb. 27, 1952; 8:52 a. m.]

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[8 CFR Parts 330, 352, 375]

REGULATIONS RELATING TO APPLICANTS FOR NATURALIZATION UNDER SECTIONS 317 (B) AND 323 OF THE NATIONALITY ACT OF 1940

NOTICE OF PROPOSED RULE MAKING

JANUARY 29, 1952.

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003), notice is hereby given of the proposed issuance by the Commissioner of Immigration and Naturalization, with the approval of the Attorney General, of the following rules relating to the requirements of attachment to the Constitution, disposition toward the United States, and the oath of allegiance in the cases of petitioners and applicants for naturalization. In accordance with subsection (b) of the said section 4, interested persons may submit to the Commissioner of Immigration and Naturalization, Room 1060, Temporary Federal Office Building X, 19th and East Capitol Streets NE., Washington 25, D. C., written data, views, and arguments relative to the substantive provisions of the proposed rules. Such representations may not be presented orally in any manner. All relevant material received within 20 days following the day of publication of this notice will be considered.

1. Sections 330.3 and 330.6 of Chapter I, Title 8 of the Code of Federal Regulations, are amended to read as follows:

§ 330.3 *A woman, citizen of the United States at birth, who lost or is believed to have lost her United States citizenship solely by marriage prior to September 22, 1922, to an alien, and whose marriage to such alien terminates on or after January 13, 1941.* A woman of the class described in section 317 (b) of the Nationality Act of 1940, if she has acquired no other nationality by affirmative act, may be naturalized by taking the oath of allegiance prescribed by section 335 of the Nationality Act of 1940. Preliminary application to take the oath shall be made on Form N-401 and submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. Such oath may be taken before the judge or clerk of any naturalization court, regardless of the applicant's place of residence. The applicant shall, before being naturalized, establish that it is her intention, in good faith, to assume and discharge the obligations of the oath of allegiance, and that her attitude toward the Constitution and laws of the United States renders her capable of fulfilling the obligations of such oath. The eligibility of an applicant to take the oath shall be investigated by a member of the Service and appropriate recommendation made to the naturalization court. The application to the court shall be made on Form N-408, in triplicate. The original of Form N-408 shall be retained as a part of the court record and the duplicate forwarded to the appropriate district director with duplicates of other naturalization papers filed and issued. The clerk of court shall furnish to the applicant, upon her demand, the triplicate Form N-408, properly certified, for which a fee not to exceed $1 may be charged. No charge shall be made by the clerk of court for the filing of Form N-408. In case the applicant does not demand the triplicate Form N-408, it shall be transmitted to the appropriate district director with the duplicate of said form. The applicant described in this section may also take the oath before any diplomatic or consular officer of the United States abroad. The taking of such oath before a diplomatic or consular officer shall be in accordance with such regulations as may be prescribed by the Department of State.

(Sec. 317 (b), 54 Stat. 1146; 8 U. S. C. 717 (b))

§ 330.6 *Person who lost citizenship of the United States through service in one of the Allied Armies during the First or Second World War.* A person who, while a citizen of the United States and during the First or Second World War, entered the military or naval service of any country at war with a country with which the United States was or is at war, who lost citizenship of the United States by reason of any oath or obligation taken for the purpose of entering such service, or by reason of entering or serving in such armed forces, and who intends to reside permanently in the United States, may be naturalized by taking the oath of renunciation and allegiance specified in section 335 of the Nationality Act of 1940. Such person shall, before being naturalized, establish that it is his intention, in good faith, to assume and discharge the obligations of the oath of allegiance, and that his attitude toward the Constitution and laws of the United States renders him capable of fulfilling the obligations of such oath. For the purposes of this section, the Second World War shall be deemed to have commenced on September 1, 1939, and shall continue until such time as the United States shall cease to be in

a state of war. Such oath may be taken before any naturalization court. Preliminary application to take the oath shall be made on Form N–428 and submitted to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. The eligibility of an applicant to take the oath shall be investigated by a member of the Service and appropriate recommendation made to the naturalization court. The application to the court shall be made on Form N–409, in triplicate. No charge shall be made for the filing of Form N–409. The original of Form N–409 shall be retained as a part of the court record and the duplicate and triplicate forwarded to the district director or officer in charge with duplicates of other naturalization papers filed and issued. The district director or officer in charge shall retain the duplicate and forward the triplicate to the Department of State. Any person described in this section who has lost United States citizenship during the Second World War may also take the oath before any diplomatic or consular officer of the United States abroad. The taking of such oath before a diplomatic or consular officer abroad shall be in accordance with such regulations as may be prescribed by the Department of State. Any person who has been naturalized a citizen of the United States under this section may make application for a certificate of naturalization in the manner provided in Part 378 of this chapter.

2. Section 352.1 is amended to read as follows:

§ 352.1 *Attachment to Constitution and disposition toward United States.* No person shall be naturalized as a citizen of the United States under the provisions of Chapter III of the Nationality Act of 1940, upon his own petition, or, in the case of a child, upon the petition of his citizen parent or adoptive parent or parents, unless he shall have proved his attachment to the principles of the Constitution of the United States and his favorable disposition toward the good order and happiness of the United States for such period or periods as may be required in his particular case, and in the manner provided by Part 373 of this chapter.

3. Section 352.3 is amended to read as follows:

§ 352.3 *Subversive organizations, activities, and beliefs.* No person shall be naturalized as a citizen of the United States upon his own petition or application, or upon a petition filed in his behalf by a citizen parent or adoptive parent or parents, who at any time within the period of ten years immediately preceding the filing of the petition or application is or has been found to be within any of the classes of persons described in section 305 (a) of the Nationality Act of 1940, as amended (54 Stat. 1141, Public Law 831, 81st Cong.; 8 U. S. C. 705). Any alien who has been at any time within ten years next preceding the filing of his petition or application for naturalization, or is at the time of filing such petition or application, or has been at any time between such filing and the time of taking of the final oath of citizenship, a member of or affiliated with any organization described in section 305 (e) of the Nationality Act of 1940, as amended, is presumed to be a person not attached to the principles of the Constitution of the United States and not well disposed to the good order and happiness of the United States, and shall not be naturalized unless he shall rebut such presumption. This presumption shall not apply to any such person who within three months from the date upon which such organization was registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950 (Public Law 831, 81st Cong.), renounces, withdraws from and utterly abandons such membership or affiliation and who thereafter ceases entirely to be affiliated with such organization. The burden of proof shall be upon the petitioner or applicant to establish that he is not precluded from naturalization under subsections (a) and (e) of section 305 of the Nationality Act of 1940, as amended.

4. Section 375.5 is amended to read as follows:

§ 375.5 *Oath of allegiance; willingness to bear arms; good faith and attitude in taking.* (a) Before being admitted to citizenship, a petitioner or applicant for naturalization shall be required to take in open court the oath prescribed in section 335 (b) (1) of the Nationality Act of 1940, as amended (54 Stat. 1157, Public Law 831, 81st Cong., 8 U. S. C. 735), unless by clear and convincing evidence he establishes that he is opposed to the bearing of arms or the performance of noncombatant service in the armed forces of the United States by reason of religious training and belief. If the petitioner or applicant establishes such opposition he may take the oath of allegiance prescribed in section 335 (b) (2).

(b) A petitioner or applicant for naturalization shall, before being naturalized, establish that it is his intention, in good faith, to assume and discharge the obligations of the oath of allegiance, and that his attitude toward the Constitution and laws of the United States renders him capable of fulfilling the obligations of such oath.

(Sec. 37, 54 Stat. 675, sec. 327, 54 Stat. 1150; 8 U. S. C. 458, 727)

[SEAL] ARGYLE R. MACKEY,
Commissioner,
Immigration and Naturalization.

Approved: February 19, 1952.

J. HOWARD MCGRATH,
Attorney General.

[F. R. Doc. 52–2267; Filed, Feb. 27, 1952; 8:47 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 130]

FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

OPERATION AND MAINTENANCE CHARGES

FEBRUARY 15, 1952.

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238), and authority contained in the Acts of Congress approved August 1, 1914; May 18, 1916; and March 7, 1928 (38 Stat. 583; 39 Stat. 1942; and 49 Stat. 210), and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs August 28, 1946, and by virtue of the authority delegated by the Commissioner of Indian Affairs to the Regional Director September 10, 1946 (11 F. R. 10267), notice is hereby given of the intention to modify §§ 130.16 and 130.17 of Title 25, Code of Federal Regulations, dealing with the irrigable lands of the Flathead Indian Irrigation Project not subject to the jurisdiction of the several irrigation districts, as follows:

§ 130.16 *Charges, Jocko Division.* An annual minimum charge of $1.90 per acre, for the season of 1952 and thereafter until further notice, shall be made against all assessable irrigable land in the Jocko Division that is not included in an Irrigation District organization, regardless of whether water is used.

The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available, will be delivered at the rate of one dollar and twenty-seven cents ($1.27) per acre foot or fraction thereof.

§ 130.17 *Charges, Mission Valley and Camas Divisions.* (a) An annual minimum charge of $2.16 per acre, for the season 1952 and thereafter until further notice, shall be made against all assessable irrigable land in the Mission Valley Division that is not included in an Irrigation District organization regardless of whether water is used.

The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available, will be delivered at the rate of one dollar and forty-four cents ($1.44) per acre foot or fraction thereof.

(b) An annual minimum charge of $2.48 per acre, for the season of 1952 and thereafter until further notice, shall be made against all assessable irrigable land in the Camas Division that is not included in an Irrigation District organization regardless of whether water is used.

The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available, will be delivered at the rate of one dollar and sixty-five cents ($1.65) per acre foot or fraction thereof.

Interested parties are hereby given opportunity to participate in preparing the proposed amendments by submitting their views and data or argument, in writing, to Paul L. Fickinger, Area Director, U. S. Bureau of Indian Affairs.

804 North 29th Street, Billings, Montana, within 30 days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

Amendment to order dated March 31, 1951 (16 F. R. 3001), signed by F. M. Haverland, Acting Area Director.

PAUL L. FICKINGER,
Area Director.

[F. R. Doc. 52-2252; Filed, Feb. 27, 1952; 8:45 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

[Dissolution Order 76, Supplement]

TAIYO TRADING CO., INC.

Whereas, by Dissolution Order No. 76, executed April 27, 1948 (13 F. R. 2400, May 1, 1948), as amended by amendment executed December 1, 1948 (13 F. R. 7462, Dec. 7, 1948), it was ordered that the officers and directors of Taiyo Trading Company, Inc., a New York corporation (hereinafter sometimes called the "Corporation"), take certain actions, specified in said dissolution order, as amended, with respect to the dissolution of the Corporation and the distribution of its assets; and

Whereas, the claim asserted by The 119 Fifth Avenue, Inc., which claim is further described in said dissolution order, has been settled and payments in satisfaction of said claims and other authorized payments have been made from the reserve of $27,000 set aside pursuant to said dissolution order; and

Whereas, payment of the partial liquidating dividend of $55 per share from the assets of the Corporation has been completed as required by paragraph (e) of said dissolution order;

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Orders 9095, as amended, and 9788, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors have been paid except such claims, if any, as the Attorney General of the United States may have for money advanced or services rendered to or on behalf of the Corporation; and

2. Finding that the known assets of the Corporation consist of the following:

Cash in bank		$31,209.23
Receivables due from:		
Emily Walsh (deceased)		118.35
Howard F. Benson (whereabouts unknown)		1,693.57
Due from former officer, Iwo Hirata		2,110.85
Nippon Club, Inc., second mortgage bonds, $2,200 par value, carried on books of company at (APC-1 Claim No. 1766)		1.00
Due from former officers reported to be in Japan:		
Joji Kato	$253.60	
Roku Kondo	4,871.24	
J. N. Takito	92.05	
Eikichi Umemara	760.27	
		5,977.16
Total assets		41,110.16

3. Having determined that it is in the national interest of the United States that the Corporation be dissolved and that its assets be distributed, and a Certificate of Dissolution having been issued by the Secretary of State of the State of New York:

Hereby orders that the officers and directors of Taiyo Trading Company, Inc., (to wit: Robert Kramer, Treasurer and Director; Francis J. Carmody, Secretary and Director; L. M. Reed, Director; and Stanley B. Reid, Director, and their successors, or any of them) continue the proceedings for the dissolution of Taiyo Trading Company, Inc.; and further orders that the said officers and directors wind up the affairs of the Corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of the Corporation and the dissolution thereof; and

(b) They shall then pay all known Federal, State and local taxes and fees owed by or accruing against the Corporation; and

(c) They shall then pay to the Attorney General of the United States the amount of such claim, if any, as he may have for moneys advanced or services rendered to or on behalf of the Corporation; and

(d) They shall then pay over and distribute from the remaining cash assets of the Corporation, a liquidating dividend equal to the quotient which results when the sum of any amounts due from shareholders plus the total remaining cash assets is divided by the total number of issued and outstanding shares of the Corporation. Such payment and distribution shall be made on each share of the outstanding stock of the Corporation to:

(1) The shareholders of the Corporation, other than the Attorney General, in proportion to their respective interests as shareholders, (less any amount due from them respectively to the Corporation), upon execution by said shareholders of a bond in favor of the Attorney General of the United States, the Corporation and its officers and directors, guaranteeing contribution by such shareholders, up to an amount not exceeding the dividends paid to them, to payment of any unknown claims against the Corporation which may arise after distribution to said shareholders; and

(2) The Attorney General of the United States in proportion to his interest as shareholder; and

(e) They shall then transfer, assign and deliver to the Attorney General of the United States all funds, assets and property of the Corporation remaining after the payments as set forth under paragraphs (a), (b), (c) and (d) hereof, including any funds, assets or property hereafter acquired by the Corporation, the same to be held by the Attorney General of the United States for the benefit of himself and other shareholders of the Corporation. Said funds and the proceeds derived by the Attorney General from the liquidation, if any, of the assets or property so assigned will be first applied to the payment of the expenses of such liquidation, if any, incurred by the Attorney General, and the remainder of such funds and proceeds will be distributed to the Attorney General and the other shareholders of the Corporation, in proportion to their respective interests as shareholders;

and further orders, that nothing herein set forth shall be construed as prejudicing the rights, under the Trading With the Enemy Act, as amended, of any person who may have a claim against the Corporation to file such claim with the Attorney General of the United States against any funds, assets or property received by the Attorney General of the United States hereunder: *Provided, however,* That nothing herein contained shall be construed as creating additional rights in such person: *Provided further,* That any such claim against said Corporation shall be filed with or presented to the Attorney General of the United States within the time and in the form and manner prescribed for such claims by the Trading With the Enemy Act, as amended, and applicable regulations and orders issued pursuant thereto; and further orders, that all actions taken and acts done by the said officers and directors of Taiyo Trading Company, Inc., pursuant to this Order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to paragraph (2) of subdivision (b) of section 5 of the Trading With the Enemy Act, as amended, and the acquittance and exculpation provided therein.

The foregoing paragraphs (a) through (e), as of the date hereof, supersede paragraphs (a) through (g) of Dissolution Order No. 76, as amended. In all other respects the recitals, findings and provisions of Dissolution Order No. 76, as amended, are hereby confirmed.

Executed at Washington, D. C., this 20th day of February 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-2289; Filed, Feb. 27, 1952; 8:53 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[55658]

MINNESOTA

NOTICE OF FILING OF PLAT OF SURVEY

FEBRUARY 21, 1952.

Notice is given that the plat accepted May 22, 1951, of (1) dependent resurvey delineating the retracement and reestablishment of the boundaries of section 30, T. 62 N., R. 1 E., Fourth Principal Meridian, Minnesota, as shown upon the plat approved January 29, 1880, and (2) the survey of islands and shore lands which were omitted from the original survey, will be officially filed in the Bureau of Land Management, Washington 25, D. C., effective at 10:00 a. m., on the 35th day after the date of this notice as to the following described lands:

FOURTH PRINCIPAL MERIDIAN, MINNESOTA

T. 62 N., R. 1 E.,
Sec. 30; lots 9, 10, 11, 12, 13, 14, and 15

The area described aggregates 116.25 acres.

All of the lands described are within the exterior boundaries of the Superior National Forest pursuant to proclamation of April 9, 1927.

Anyone having a valid settlement or right to any of these lands initiated prior to the date of the withdrawal of the lands should assert the same within three months from the date on which the plat is officially filed by filing an application under appropriate public land law setting forth all facts relevant thereto.

All inquiries relating to these lands should be addressed to the Regional Administrator, Region VI, Bureau of Land Management, Washington, 25, D. C.

H. S. PRICE,
Regional Administrator, Region VI.

[F. R. Doc. 52-2253; Filed, Feb. 27, 1952; 8:45 a. m.]

Bureau of Reclamation

MISSOURI RIVER BASIN PROJECT, NEBRASKA

FIRST FORM RECLAMATION WITHDRAWAL

SEPTEMBER 17, 1951.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F. R. 1937), I hereby withdraw the following described lands from public entry, under the first form of withdrawal, as provided by section 3 of the Act of June 17, 1902, (32 Stat. 388):

SIXTH PRINCIPAL MERIDIAN, NEBRASKA

T. 18 N., R. 17 W.,
Sec. 35, Lot 4.
T. 21 N., R. 22 W.,
Sec. 23, Lot 5.

The above areas aggregate 19.83 acres.

GLENN D. THOMPSON,
Acting Assistant Commissioner,
Bureau of Reclamation.

I concur. The records of the Bureau of Land Management will be noted accordingly.

WILLIAM PINCUS,
Assistant Director,
Bureau of Land Management.

OCTOBER 15, 1951.

[F. R. Doc. 52-2254; Filed, Feb. 27, 1952; 8:45 a. m.]

MISSOURI RIVER BASIN PROJECT,[1] NEBRASKA

NOTICE FOR FILING OBJECTIONS TO ORDER WITHDRAWING PUBLIC LANDS

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order withdrawing certain public lands in the State of Nebraska, for use in connection with the Missouri River Basin Project may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

GLENN D. THOMPSON,
Acting Assistant Commissioner,
Bureau of Reclamation.

[F. R. Doc. 52-2255; Filed, Feb. 27, 1952; 8:45 a. m.]

[1] See F. R. Doc. 2254, *supra.*

[Public Announcement 9]

COLUMBIA BASIN PROJECT, WASHINGTON

SALE OF FULL-TIME FARM UNITS

FEBRUARY 8, 1952.

Columbia Basin Project, Washington, East Columbia Basin Irrigation District; public announcement of the sale of full-time farm units.

LANDS COVERED

SECTION 1. *Offer of farm units for sale.* It is hereby announced that certain farm units in the East Columbia Basin Irrigation District, Columbia Basin Project, Washington, will be sold to qualified applicants in accordance with the provisions of this announcement. Applications to purchase farm units may be submitted beginning at 2:00 p. m., February 21, 1952.

The farm units hereby offered for sale by the United States are all in Block 49, Adams County, Washington, and are described as follows:

Farm unit No.	Total	Irrigable acreage	Acreage by land class			Non-irrigable acreage	Price
			1	2	3		
9	182.6	93.5		78.0	15.5	89.1	$1,670.10
16	125.6	81.8	34.9	10.8	6.1	73.8	1,468.20
17	122.5	58.6		58.6		63.9	1,473.90
21	147.8	68.4	26.5	20.3	11.6	79.4	1,769.80
22	111.3	85.8	13.5	69.3	3.0	25.5	1,633.05
46	127.3	78.9	12.4	64.0	2.5	48.4	1,307.85
52	116.5	59.6	38.3	20.4	.9	56.9	1,219.55
53	107.8	67.6		35.3	32.3	40.2	1,045.10
56	105.5	64.9		54.3	10.6	40.6	1,029.25
57	81.3	61.3	21.0	37.1	3.2	20.0	834.95
59	76.9	67.0	22.3	43.2	1.5	9.9	928.50
60	62.2	57.6	57.6			4.6	868.60
67	87.0	81.2	36.2	45.0		5.8	1,086.10
68	84.2	82.4	50.6	31.8		1.8	1,345.90
69	62.6	57.4	2.4	55.0		5.2	823.20
82	69.0	64.7	58.1	6.6		4.3	1,094.80
89	90.9	94.8		88.6	6.2	2.1	1,879.30
90	96.8	95.6		92.7	2.9	1.2	1,339.60
91	89.6	84.8		78.7	6.1	4.8	1,208.50
92	80.4	73.4	1.8	59.1	12.5	7.0	1,052.80
93	67.0	61.1	43.8	17.3		5.9	941.40
98	90.2	66.1	31.8	34.3		24.1	910.30
99	68.7	63.3	49.8	13.5		5.4	891.60
100	72.3	67.1	22.4	44.7		5.2	977.50
101	57.3	53.4	43.6	9.8		3.9	707.70
102	79.2	71.0	9.9	61.1		8.2	1,002.20
111	70.0	67.4	11.0	56.4		2.6	1,066.20
112	69.6	65.9	29.9	35.5	.5	3.7	1,058.90
121	74.4	69.4		69.4		5.0	1,166.60
122	78.7	75.4		75.4		3.3	1,194.30
123	102.9	60.7		50.9	9.8	42.2	1,451.90
137	73.8	70.2	18.1	52.1		3.6	1,056.50
138	74.9	71.2		71.2		3.7	1,089.50
145	85.3	80.6		74.0	6.6	4.7	1,137.00
146	74.6	67.5		65.1	2.4	7.1	969.65
154	77.2	72.1		70.7	1.4	5.1	1,096.90
155	85.4	78.9		72.5	6.4	6.5	1,321.50
156	82.1	79.4		79.4		2.7	1,080.90
157	82.3	80.3		80.3		2.0	1,237.90
158	99.7	90.2		65.8	24.4	9.5	1,270.80
159	107.7	92.7		46.7	46.0	15.0	1,273.30
179	204.8	115.3		36.2	79.1	89.5	2,266.00

The official plat of this irrigation block is on file in the office of the County Auditor, Adams County, Ritzville, Washington, and copies are on file in the office of the Bureau of Reclamation at Ephrata, Washington, and the regional office at Boise, Idaho.

SEC. 2. *Limit of acreage which may be purchased.* The lands covered by this announcement have been divided into farm units. Each of the farm units represents the acreage which, in the opinion of the Regional Director, Region 1, Bureau of Reclamation, will support an average-size family at a suitable level of living. The law provides that with certain minor exceptions not more than one farm unit in the entire project may be held by any one owner or family. A family is defined as comprising husband or wife, or both, together with their children under 18 years of age, or all of such children if both parents are dead.

PREFERENCE RIGHT OF VETERANS OF WORLD WAR II

SEC. 3. *Nature of preference.* A preference right to purchase the farm units described above will be given to veterans of World War II (and in some cases to their husbands or wives or guardians of minor children) who submit applications during a 45-day period beginning at 2:00 p. m., February 21, 1952, and ending at 2:00 p. m., April 6, 1952, and who, at the

time of making application, are in one of the following five classes:

a. Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States for a period of at least ninety (90) days at any time on or after September 16, 1940, and prior to the termination of World War II, and have been honorably discharged.

b. Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States during the period prescribed in subsection a. of this section, regardless of length of service, and who have been discharged on account of wounds received or disability incurred during such period in the line of duty, or subsequent to a regular discharge, have been furnished hospitalization or awarded compensation by the government on account of such wounds or disability.

c. The spouse of any person in either of the first two classes listed in this section, if the spouse has the consent of such person to exercise his or her preference right. (See subsection 7c of this announcement regarding the provision that a married woman must be head of a family.)

d. The surviving spouse of any person in either of the first two classes listed in this section, or in the case of the death or marriage of such spouse, the minor child or children of such person by guardian duly appointed and qualified and who furnishes to the examining board acceptable evidence of such appointment and qualification.

e. The surviving spouse of any person whose death has resulted from wounds received or disability incurred in the line of duty while serving in the Army, Navy, Marine Corps, Air Force, or Coast Guard during the period described in subsection a. of this section, or in the case of death or marriage of such spouse, the minor child or children of such person by a guardian duly appointed and qualified and who furnishes to the examining board acceptable evidence of such appointment and qualification.

SEC. 4. *Definition of honorable discharge.* An honorable discharge means:

a. Separation from the service by means of an honorable discharge or by the acceptance of resignation or a discharge under honorable conditions.

b. Release from active duty under honorable conditions to an inactive status, whether or not in a reserve component, or retirement.

Any person who obtains an honorable discharge as herein defined shall be entitled to veterans preference even though such person thereafter resumes active military duty.

QUALIFICATIONS REQUIRED OF PURCHASERS

SEC. 5. *Examining Board.* An examining board of three members has been appointed by the Regional Director, Region 1, Bureau of Reclamation, to determine the qualifications and fitness of applicants to undertake the purchase, development, and operation of a farm on the Columbia Basin Project. The board will make careful investigations to verify the statements and representations made by applicants. Any false statements may constitute grounds for rejection of an application, and cancellation of the applicant's right to purchase a farm unit.

SEC. 6. *Minimum qualifications.* Certain minimum qualifications have been established which are considered necessary for the successful development of farm units. Applicants must meet these qualifications in order to be eligible for the purchase of farm units. Failure to meet them in any single respect will be sufficient cause for rejection of an application. No added credit will be given for qualifications in excess of the required minimum. The minimum qualifications are as follows:

a. *Character and industry.* An applicant must be possessed of honesty, temperate habits, thrift, industry, seriousness of purpose, record of good moral conduct, and a bone fide intent to engage in farming as an occupation.

b. *Farm experience.* Except as otherwise provided in this subsection, an applicant must have had a minimum of two years (24 months) of full-time farm experience, which shall consist of participation in actual farming operations, after attaining the age of 15 years. Time spent in agricultural courses in an accredited agricultural college or time spent in work closely associated with farming, such as teaching vocational agriculture, agricultural extension work, or field work in the production or marketing of farm products, which, in the opinion of the board will be of value to an applicant in operating a farm, may be substituted for full-time farm experience. Such substitution shall be on the basis of one year (academic year of at least nine months) of agricultural college courses or one year (twelve months) of work closely associated with farming for six months of full-time farm experience. Not more than one year of full-time farm experience of this type will be allowed. A farm youth who actually resided and worked on a farm after attaining the age of 15 and while attending school may credit such experience as full-time experience.

Applicants who have acquired their experience on an irrigated farm will not be given preference over those whose experience was acquired on a non-irrigated farm, but all applicants must have had farm experience of such nature as in the judgment of the examining board will qualify the applicant to undertake the development and operation of an irrigated farm by modern methods.

c. *Health.* An applicant must be in such physical condition as will enable him to engage in normal farm labor.

d. *Capital.* An applicant must possess assets worth at least $4,500 in excess of liabilities. Assets must consist of cash, property readily convertible into cash or property such as livestock, farm machinery and equipment, which, in the opinion of the board, will be useful in the development and operation of a new, irrigated farm. In considering the practical value of property which will be useful in the development of a farm, the board will not value household goods at more than $500 or a passenger car at more than $500. Assets not useful in the development of a farm will be considered if the applicant furnishes, at the board's request, evidence of the value of the property and proof of its conversion into useful form before execution of a purchase contract.

SEC. 7. *Other qualifications required.* Each applicant (except guardian) must meet the following requirements:

a. Be a citizen of the United States or have declared an intention to become a citizen of the United States.

b. Not own outright, or control under a contract to purchase, more than ten acres of crop land or a total of 160 acres of land at the time of execution of a purchase contract for a farm unit.

c. If a married woman, or a person under 21 years of age who is not eligible for veterans preference, be the head of a family. The head of a family is ordinarily the husband, but a wife or a minor child who is obliged to assume major responsibility for the support of a family may be the head of a family.

WHERE AND HOW TO SUBMIT AN APPLICATION

SEC. 8. *Filing application blanks.* Any person desiring to purchase a farm unit offered for sale by this announcement must fill out the attached application blank and file it with the Land Settlement Section, Bureau of Reclamation, Ephrata, Washington, in person or by mail. Additional application blanks may be obtained from the office of the Bureau of Reclamation at Ephrata, Washington; Post Office Box 937, Boise, Idaho; or Washington, D. C. No advantage will accrue to an applicant who presents an application in person. Each application submitted, including the evidence of qualification to be submitted following the public drawing, will become a part of the records of the Bureau of Reclamation and cannot be returned to the applicant.

SELECTION OF QUALIFIED APPLICANTS

SEC. 9. *Priority of applications.* All applications will be classified for priority purposes as follows:

a. *First priority group.* All complete applications filed prior to 2:00 p. m., April 6, 1952, by applicants who claim veterans' preference. All such applications will be treated as simultaneously filed.

b. *Second priority group.* All complete applications filed prior to 2:00 p. m., April 6, 1952, by applicants who do not claim veterans' preference. All such applications will be treated as simultaneously filed.

c. *Third group.* All complete applications filed after 2:00 p. m., April 6, 1952. Such applications will be considered in the order in which they are filed if any farm units are available for sale to applicants within this group.

SEC. 10. *Public drawing.* After the priority classification, the board will conduct a public drawing of the names of the applicants in the First Priority Group as defined in subsection 9a of this announcement. Applicants need not be present at the drawing to partici-

pate therein. The names of a sufficient number of applicants (not less than four times the number of farm units to be offered for sale) shall be drawn and numbered consecutively in the order drawn for the purpose of establishing the order in which the applications drawn will be examined by the board to determine whether the applicants meet the minimum qualifications prescribed in this announcement, and to establish the priority of qualified applicants for the selection of farm units. After such drawing, the board shall notify each applicant of his respective standing as a result of the drawing.

SEC. 11. *Submission of evidence of qualification.* After the drawing, a sufficient number of applicants, in the order of their priority as established by the drawing, will be supplied with forms on which to submit evidence of qualification, showing that they meet the qualifications set forth in sections 6 and 7 of this announcement and, in case veterans preference is claimed, establishing proof of such preference, as set forth in section 3 of this announcement. Full and accurate answers must be made to all questions. The completed form must be mailed or delivered to the Land Settlement Section, Bureau of Reclamation, Ephrata, Washington, within 20 days of the date the form is mailed to the last address furnished by the applicant. Failure of an applicant to furnish all of the information requested or to see that information is furnished by his references within the time period specified will subject his application to rejection.

SEC. 12. *Examination and interview.* After the information outlined in section 11 of this announcement has been received or the time for submitting such statements has expired, the board shall examine in the order drawn a sufficient number of applications together with the evidence of qualification submitted to determine the applicants who will be permitted to purchase farm units. This examination will determine the sufficiency, authenticity, and reliability of the information and evidence submitted by the applicants.

If the applicant fails to supply any of the information required or the board finds that the applicant's qualifications do not meet the requirements prescribed in this announcement, the applicant shall be disqualified and shall be notified by the board, by registered mail, of such disqualification and the reasons therefor and of the right to appeal to the Regional Director, Region 1, Bureau of Reclamation. All appeals must be received in the office of the Land Settlement Section, Bureau of Reclamation, Ephrata, Washington, within 15 days of the applicant's receipt of such notice or, in any event, within 30 days from the date when the notice is mailed to the last address furnished by the applicant. The Land Settlement Section will promptly forward the appeal to the Regional Director.

If the examination indicates that an applicant is qualified, the applicant may be required to appear for a personal interview with the board for the purpose of: (a) Affording the board any additional information it may desire relative to his qualifications; (b) affording the applicant any information desired relative to conditions in the area and the problems and obligations relative to development of a farm unit; and (c) affording the applicant an opportunity to examine the farm units.

If an applicant fails to appear before the board for a personal interview on the date requested, he will thereby forfeit his priority position as determined by the drawing.

If the board finds that an applicant's qualifications fulfill the requirements prescribed in this announcement, such applicant shall be notified, in person or by registered mail, that he is a qualified applicant and shall be given an opportunity to select one of the farm units available then for purchase. Such notice will require the applicant to make a field examination of the farm units available to him and in which he is interested, to select a farm unit, and to notify the board of such selection within the time specified in the notice.

SELECTION OF FARM UNITS

SEC. 13. *Order of selection.* The applicants who have been notified of their qualification for the purchase of a farm unit will successively exercise the right to select a farm unit in accordance with the priority established by the drawing. If a farm unit becomes available through failure of a qualified applicant to exercise his right of selection or failure to complete his purchase, it will be offered to the next qualified applicant who has not made a selection at the time the unit is again available. An applicant who is considered to be disqualified as a result of the personal interview will be permitted to exercise his right to select, notwithstanding his disqualification, unless he voluntarily surrenders this right in writing. If, on appeal, the action of the board in disqualifying an applicant as a result of the personal interview is reversed by the Regional Director, the applicant's selection shall be effective, but if such action of the board is upheld by the Regional Director, the farm unit selected by this applicant will become available for selection by qualified applicants who have not exercised their right to select.

If any of the farm units listed in this announcement remain unselected after all qualified applicants whose names were selected in the drawing have had an opportunity to select a farm unit, and if additional applicants remain in the First Priority Group, the board will follow the same procedure outlined in section 10 of this announcement in the selection of additional applicants from this group.

If any of the farm units remain unselected after all qualified applicants in the First Priority Group have had an opportunity to select a farm unit, the board will follow the same procedure to select applicants from the Second Priority Group, and they will be permitted to exercise their right to select a farm unit in the manner prescribed for the qualified applicants from the First Priority Group.

Any farm units remaining unselected after all qualified applicants in the Second Priority Group have had an opportunity to select a farm unit will be offered to applicants in the Third Group in the order in which their applications were filed, subject to the determination of the board, made in accordance with the procedure prescribed herein, that such applicants meet the minimum qualifications prescribed in this announcement.

If any farm units offered by this announcement remain unsold for a period of two years following the date of this announcement, the District Manager, Columbia River District, Bureau of Reclamation, may sell, lease or otherwise dispose of such units to qualified applicants without regard to the provisions of section 10 of this announcement.

SEC. 14. *Failure to select.* If any applicant refuses to select a farm unit or fails to do so within the time specified by the board, such applicant shall forfeit his position in his priority group and his name shall be placed last in that group.

PURCHASE OF SELECTED UNIT

SEC. 15. *Execution of purchase contract.* When a farm unit is selected by an applicant as provided in section 13 of this announcement, the District Manager will promptly give the applicant a written notice confirming the availability to him of the unit selected and will furnish the necessary purchase contract, together with instructions concerning its execution and return. In that notice the District Manager will also inform the applicant of the amount of the irrigation charges assessed by the East Columbia Basin Irrigation District, or, if such charges have not been assessed, of an estimate of the amount of the charges for the first year of the development period, to be deposited with the District Manager.

If the purchase is made subsequent to April 1 of any year following the first year of the development period, a deposit will be required to cover the payment of water charges for the next full irrigation season following the purchase.

SEC. 16. *Terms of sale.* Contracts for the sale of farm units pursuant to this announcement will contain, among others, the following principal provisions:

a. *Down payment.* An initial or down payment of not less than 20 percent of the purchase price of the lands being purchased from the United States will be required. Larger proportions, or the entire amount of the price, may be paid initially at the purchaser's option.

b. *Schedule for payment of balance; interest rate.* If only a portion of the purchase price is paid initially, the remainder will be payable within a period of 20 years following the date of the contract. No payments on the principal, except the down payment, will be required during the first three years and the District Manager may postpone such payments for as long as the first five years of the contract. Interest on the unpaid balance at the rate of three percent per annum, however, will be payable annually. When payments on the principal are resumed, they will be payable each year. The schedule of principal

payments, which will be established by the District Manager, will provide for relatively small payments during the first years and larger payments during the later years of the contract period. Payment of any or all installments, or any portion thereof, may be made before their due dates at the purchasers' option.

c. *Development requirements.* In order that the irrigable area of the entire farm unit shall be developed with reasonable dispatch, each purchaser will be required, as a minimum, to clear, level, irrigate, and plant to crops by the end of each of the calendar years indicated below, and to maintain in crops thereafter, the following areas of irrigable land:

Size of farm unit in irrigable acres	Percentage of irrigable land to be developed by end of each year (period will begin with year of purchase if contract is executed and water is available on or before May 1 of that year; otherwise period will begin with the next calendar year)			
	Second year	Third year	Fourth year	Fifth year
10 to 40	75	----------	----------	----------
41 to 60	50	75	----------	----------
61 to 80	50	65	75	----------
81 to 100	40	60	65	75
101 to 160	35	50	65	75

d. *Residence requirements.* A major objective of the settlement program for the Columbia Basin Project is to assist and encourage the permanent settlement of farm families. In keeping with this objective, each purchaser will be required to do the following with respect to residence: (1) within one year from the date of his contract, or within one year from the date that water is available to the irrigation block in which the farm unit is located, whichever is later, to initiate residence by actually moving onto the unit, such residence to be maintained by living thereon for not less than 12 months within an 18-month period following the initial date of residence, and (2) before receiving title to the unit under the purchase contract, to establish a permanent and habitable dwelling on the unit. The time for compliance with the initiation of residence may be extended by the District Manager for periods of as long as six months, upon his determination that an extension is necessary to avoid undue hardship to the purchaser and that it will not be detrimental to the orderly development of the irrigation block. The latest permissible date for initiating residence, however, will not be extended for more than one year in addition to the one-year period specified above. In extraordinary situations, the requirements under (1) and (2) above may be waived entirely upon the determination by the Regional Director, after recommendation by the District Manager, that such waiver will be in the interest of orderly development of the block. Any such waiver, however, shall be conditioned on the requirement that the purchaser reside close enough to his unit to permit him to develop it through his own efforts.

e. *Speculation and landholding limitations.* Purchase contracts and deeds covering farm units offered by this announcement will include provisions governing (1) maximum permissible sizes of holdings of irrigable land; (2) continued conformance of land to the area and boundaries of the farm unit plat for the block; (3) prices at which land can be resold during a period of five years following the date on which water is made available to the irrigation block; (4) disposal of land should it become excess at any time; and (5) limitations as to total area that may be operated on the project whether as lessee or as owner or both.

f. *Copies of contract form.* The terms listed above, and all other standard contract provisions, are contained in the purchase contract form, copies of which may be obtained by writing to the Bureau of Reclamation, Ephrata, Washington, or Post Office Box 937, Boise, Idaho.

IRRIGATION CHARGES

SEC. 17. *Water rental charges.* During the irrigation season of 1953, while some construction activities will be continuing and the system is being tested, it is expected that water will be furnished on a temporary rental basis to those desiring it. The terms of payment, which will be at a fixed rate per acre-foot of water used, will be announced by the Regional Director before the beginning of the irrigation season.

SEC. 18. *Development period charges.* Pursuant to the provisions of the repayment contract of October 9, 1945, between the United States and the East Columbia Basin Irrigation District, the Secretary of the Interior will announce development periods of ten years for Irrigation Block 49, during which time payment of construction charge installments will not be required. This period probably will commence with the calendar year 1954. During the development period, water rental charges will average an estimated $5.50 per irrigable acre per year. This figure is preliminary and subject to change because all the data needed to fix the charges are not available nor can they be obtained now. In any event, there will be a minimum charge per farm unit each year whether or not water is used. A notice establishing the details of the plan to be followed and announcing charges and governing provisions for the first year of the development period will be issued prior to January 1 of that year, by the Regional Director, who has the responsibility for fixing these charges.

The present plans of the Regional Director are (a) to vary the minimum charge according to the anticipated relative repayment ability of the various land classes; (b) to provide for a small minimum charge for the first year and to increase it each year thereafter so that the charge for the tenth year will be approximately equal to the combined construction and operation and maintenance charge for the following year; and (c) to charge for water in excess of the amount furnished for the minimum charge on an acre-foot basis. The minimum charge will entitle each user to a quantity of water to be specified by the Regional Director, varying with the water requirement classification of the land and the size of the farm unit.

In addition to the water rental charges, the Irrigation District will levy an additional charge to cover administrative costs and probable delinquencies in collections.

SEC. 19. *Construction period repayment charges*—a. *Operation and maintenance charges.* After the development period has ended, water users will pay a charge for operation and maintenance of the project irrigation system which will be uniform for the irrigation blocks throughout the project. These charges may or may not be graduated among land classes. Assessment procedure will be left for the Irrigation District Board of Directors to determine, but, in any case, there will be an annual minimum charge per acre. In order to encourage careful use of water, this annual minimum charge will entitle the water user to one acre-foot of water per acre less than the amount of water normally required. The normal requirements for the various classes of land will be determined and announced as provided in the repayment contract with the East Columbia Basin Irrigation District. Water in excess of the quantity covered by the minimum charge will be paid for on an acre-foot basis in accordance with an ascending, graduated scale.

b. *Construction charges.* The contract between the United States and the East Columbia Basin Irrigation District requires the payment of construction charges for the project irrigation system during the forty years following the development period. The average construction charge per irrigable acre for the entire project will be $2.12 per year. Thus, the total construction charge payment will average $85 per irrigable acre. The contract further provides that construction charges shall be graduated according to the relative repayment ability of the land; consequently, the charge per irrigable acre will be larger for the better lands than for the poorer lands. This allocation of construction charges by classes of land will be made as soon as practicable.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 52-2256; Filed, Feb. 27, 1952; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

DURANGO LIVESTOCK SALE CO.

DEPOSTING OF STOCKYARD

It has been ascertained that the Durango Livestock Sale Company, Durango, Colorado, originally posted on February 19, 1948, as being subject to the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), no longer comes within the definition of a stockyard under said act for the reason that it is no longer being conducted or operated as a public livestock market. Therefore, notice is given to the owner of such stockyard and to the public that such stockyard is no longer subject to the provisions of said act.

Notice of public rule making has not preceded promulgation of the foregoing rule since it is found that the giving of such notice would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impractical. There is no legal warrant or justification for not deposting promptly a stockyard which is no longer being conducted or operated as a public livestock market and is, therefore, no longer a stockyard within the definition contained in said act.

The foregoing rule is in the nature of a rule granting an exemption or relieving a restriction and, therefore, may be made effective in less than 30 days after publication thereof in the FEDERAL REGISTER. This notice shall become effective upon publication in the FEDERAL REGISTER.

(42 Stat. 159, as amended and supplemented; 7 U. S. C. 181 et seq.)

Done at Washington, D. C., this 25th day of February 1952.

[SEAL] H. E. REED,
Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 52-2292; Filed, Feb. 27, 1952; 8:54 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF PACIFIC COAST EUROPEAN CONFERENCE

NOTICE OF AGREEMENT FILED FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

Agreement No. 5200-12, between the member lines of the Pacific Coast European Conference, modifies the basic agreement of said Conference (No. 5200) to provide that fines for non-observance of the agreement may be fixed at the discretion of the members in amounts ranging from a minimum of $500 to a maximum of $10,000. The agreement presently provides that fines for non-observance of the agreement shall be $5,000 for the first offense; $10,000 for the second offense; and $15,000 for the third and subsequent offenses.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to this agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: February 25, 1952.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 52-2295; Filed, Feb. 27, 1952; 8:55 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1630, G-1631, G-1651, G-1718, G-1888]

EL PASO NATURAL GAS CO. ET AL.

ORDER CONSOLIDATING PROCEEDINGS AND POSTPONING HEARING

FEBRUARY 20, 1952.

In the matters of El Paso Natural Gas Company, Docket Nos. G-1630 and G-1631; Pacific Gas and Electric Company, Docket No. G-1651; Southern California Gas Company, and Southern Counties Gas Company of California, Docket No. G-1718; Nevada Natural Gas Pipe Line Co., Docket No. G-1888.

By order issued on October 30, 1951, the Commission consolidated for hearing the applications of El Paso Natural Gas Company, Pacific Gas and Electric Company, Southern California Gas Company, and Southern Counties Gas Company of California in the respective dockets designated above and ordered hearing thereon to commence on March 4, 1952.

On January 28, 1952, El Paso Natural Gas Company filed an amended application in the above Docket No. G-1630 for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities for the transportation of an additional 120 MMcf of natural gas per day from the San Juan Basin in northern New Mexico and Southern Colorado to a point near Topock, Arizona, for the delivery and sale of 100 MMcf of natural gas per day to Pacific Gas and Electric Company and/or Southern California Gas Company and Southern Counties Gas Company of California, and for the delivery and sale of 20 MMcf of natural gas per day to the Nevada Natural Gas Pipe Line Co. (Nevada). Due notice of the filing of the amended application in Docket No. G-1630 has been given, including publication in the FEDERAL REGISTER on February 8, 1952 (17 F. R. 1231).

On January 28, 1952, El Paso Natural Gas Company filed an amended application in the above Docket No. G-1631 for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities for the transportation of 200 MMcf of natural gas per day from southeast New Mexico and West Texas to points on the Arizona-California border for delivery and sale to Southern California Gas Company, Southern Counties Gas Company of California, and Pacific Gas and Electric Company. Due notice of the filing of the amended application in Docket No. G-1631 has been given, including publication in the FEDERAL REGISTER on February 8, 1952 (17 F. R. 1231).

On February 4, 1952, Pacific Gas and Electric Company filed an amended application in the above Docket No. G-1651 for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities for the transportation of an additional 150 MMcf of natural gas per day through its existing pipe-line system extending from the Arizona-California border near Topock, Arizona, to Milpitas, California. Due notice of the filing of the amended application in Docket No. G-1651 has been given, including publication in the FEDERAL REGISTER on February 15, 1952 (17 F. R. 1489).

On February 4, 1952, Nevada filed an application in the above Docket No. G-1888 for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities for the transportation of 20 MMcf of natural gas per day from a point near Topock, Arizona, to Las Vegas, Nevada. Due notice of the filing of the application in Docket No. G-1888 has been given, including publication in the FEDERAL REGISTER on February 14, 1952 (17 F. R. 1445).

On February 6, 1952, Nevada filed a petition requesting the consolidation of its application in Docket No. G-1888 with the applications of El Paso Natural Gas Company in Docket Nos. G-1630 and G-1631.

The Commission finds:

(1) Good cause exists for consolidating the proceedings on the application of Nevada Natural Gas Pipe Line Co. in Docket G-1888 with the proceedings on the applications of El Paso Natural Gas Company in Docket Nos. G-1630 and G-1631, of Pacific Gas and Electric Company in Docket No. G-1651, and of Southern California Gas Company and Southern Counties Gas Company of California in Docket No. G-1718, which latter proceedings were consolidated for purpose of hearing by Commission order issued on October 30, 1951.

(2) Additional data required in conformity with the Commission's rules and regulations as to some of the aforementioned applications have not been submitted and such submission must be accomplished before hearings may properly commence in the consolidated proceedings.

The Commission orders:

(A) The aforesaid proceedings in Docket Nos. G-1630, G-1631, G-1651, G-1718, and G-1888 be and the same hereby are consolidated for purpose of hearing.

(B) The hearing now set to commence on March 4, 1952, be and the same hereby is postponed to a date to be hereafter fixed by order of the Commission, and shall concern the consolidated proceedings referred to in (A) above.

Date of issuance: February 21, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-2257; Filed, Feb. 27, 1952; 8:46 a. m.]

[Docket No. G-1877]

CITIES SERVICE GAS COMPANY

ORDER FIXING DATE OF HEARING

FEBRUARY 20, 1952.

On January 16, 1952, Cities Service Gas Company (Cities Service), a Dela-

ware corporation having its principal place of business at Oklahoma City, Oklahoma, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of certain natural-gas facilities, as fully described in said application now on file with the Commission and open for public inspection.

Cities Service proposes to construct the facilities for which authorization is herein sought to make increased quantities of natural gas available to its Beloit compressor station, located in Mitchell County, Kansas, and to its Superior system generally.

Cities Service has requested that its application be heard under the shortened procedure provided for by § 1.32 (b) of the Commission's rules of practice and procedure. No request to be heard or protest has been filed subsequent to giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on January 29, 1952 (17 F. R. 875).

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32) of the Commission's rules of practice and procedure.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission rules of practice and procedure, a hearing be held on March 13, 1952, at 9:30 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by said application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: February 21, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-2258; Filed, Feb. 27, 1952; 8:46 a. m.]

[Docket No. G-1814]

NORTHEASTERN GAS TRANSMISSION CO.

ORDER FIXING DATE OF HEARING

FEBRUARY 20, 1952.

By order issued October 15, 1951, the Commission suspended and deferred the use of First Revised Sheets Nos. 5, 6, 7 and 8 to Northeastern Gas Transmission Company's (Northeastern) FPC Gas Tariff, Original Volume No. 1. Said order provides that a hearing shall be held at a time and place to be fixed by further order of the Commission.

The Commission finds:

(1) The public hearing in this proceeding should be held at the time and place hereinafter designated.

(2) It is necessary and appropriate to carry out the provisions of the Natural Gas Act, as amended, and it is in the public interest, that the procedure hereinafter prescribed shall be followed at the hearing in order to conduct this proceeding with reasonable dispatch.

The Commission orders:

(A) A public hearing be held commencing on March 18, 1952, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the lawfulness of the rates, charges, and classifications contained in First Revised Sheets Nos. 5, 6, 7 and 8 to Northeastern's FPC Gas Tariff, Original Volume No. 1.

(B) Pursuant to the provisions of section 4 (e) of the Natural Gas Act, Northeastern shall go forward with the burden of proof imposed upon it, and present its justification with respect to the issues raised by the order of suspension issued October 15, 1951.

(C) After Northeastern has so presented its justification, other parties, including Commission Staff Counsel, shall be permitted to conduct as much of their cross-examination as they are then prepared to undertake. Thereupon, the Presiding Examiner shall recess the hearing to a date to be fixed by further order of the Commission, in order to permit such preparation for the remainder of their cross-examination as the facts and circumstances may warrant, to expedite the proceedings.

(D) Interested State Commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: February 21, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-2259; Filed, Feb. 27, 1952; 8:46 a. m.]

[Docket No. G-1858]

SOUTH JERSEY GAS CO.

ORDER FIXING DATE OF HEARING

FEBRUARY 20, 1952.

On December 20, 1951, South Jersey Gas Company (Applicant), a New Jersey corporation having its principal place of business in Atlantic City, New Jersey, filed an application, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction and operation of 11.1 miles of 6-inch and 8-inch pipe line and appurtenant facilities extending from a point on Applicant's Vineland lateral to a point in the City of Millville, New Jersey, such facilities to be used for supplying natural gas to the Armstrong Cork Company with a daily contract demand of 700 Mcf of natural gas and the Wheaton Glass Company a daily contract demand of 500 Mcf of natural gas.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on January 15, 1952 (17 F. R. 460, 461).

The Commission orders:

(A) Pursuant to the authority contained in and by virtue of the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing be held on March 12, 1952 at 9:30 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: February 21, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-2260; Filed, Feb. 27, 1952; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 68-155]

GENERAL PUBLIC UTILITIES CORP.

ORDER PERMITTING DECLARATION WITH RESPECT TO PROXY SOLICITATION TO BECOME EFFECTIVE

FEBRUARY 21, 1952.

General Public Utilities Corporation ("the Company"), a registered holding company, having filed a declaration and amendments thereto pursuant to section 12 (e) of the Public Utility Holding Company Act of 1935 ("the act") and Rules U-23, U-62, and U-65 thereunder with respect to the solicitation of proxies for two proposed amendments to its Certificate of Incorporation affecting the preemptive rights of its common stockholders, which proposed amendments will be submitted to the stockholders for approval at the annual meeting to be held on April 7, 1952; and

By order entered January 4, 1952 (Holding Company Act Release No. 10992) the Commission having authorized the Company, subject to the requisite consents of its security holders, to amend its Certificate of Incorporation

as proposed; and the present declaration being a step toward obtaining such requisite consents; and

Due notice having been given of the filing of the declaration as amended, and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration as amended become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act that said declaration as amended be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-2263; Filed, Feb. 27, 1952; 8:47 a. m.]

[File No. 70-2796]

UTAH POWER AND LIGHT CO.

NOTICE OF FILING REGARDING BANK BORROWINGS

FEBRUARY 21, 1952.

Notice is hereby given that Utah Power and Light Company ("Utah"), a registered holding company and operating company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935, and has designated sections 6 (a) and 7 thereof as applicable to the proposed transactions which are summarized as follows:

Utah proposes to enter into a credit agreement with certain banks pursuant to which Utah may borrow from time to time during the year 1952 not to exceed in the aggregate $10,000,000 as money is required for its construction program. Such loans will be evidenced by promissory notes maturing on December 15, 1952, and bearing interest at the rate of 3 percent per annum.

The declaration states that the proceeds from the loans will be used in connection with the construction program of Utah and its subsidiary, The Western Colorado Power Company, which, it is estimated, will require the expenditure of approximately $17,000,000 in the year 1952. The declaration further states that it is the present intention of Utah to repay the loans from the proceeds of permanent financing during the year 1952, which permanent financing will maintain the present capital structure of Utah at approximately the existing debt-equity ratios.

Notice is further given that any interested person may, not later than March 4, 1952 at 5:30 p. m., request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said declaration, as filed, or as amended, may be permitted to become effective as provided by Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said declaration which is on file with this Commission for a full statement of the transactions therein proposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-2264; Filed, Feb. 27, 1952; 8:47 a. m.]

[File No. 70-2798]

UTAH POWER AND LIGHT CO. AND WESTERN COLORADO POWER CO.

NOTICE OF FILING REGARDING REFINANCING OF NOTE, AND BORROWINGS AND SALE OF COMMON STOCK BY SUBSIDIARY TO PARENT

FEBRUARY 21, 1952.

Notice is hereby given that Utah Power and Light Company ("Utah"), a registered holding company and operating company, and its wholly-owned electric utility subsidiary, The Western Colorado Power Company ("Colorado"), have filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935, and have designated sections 6 (b), 9 (a), 10 and 12 (f) thereof and Rule U-45 of the rules and regulations promulgated thereunder as applicable to the proposed transactions which are summarized as follows:

Colorado proposes to issue and Utah proposes to acquire a note in the principal amount of $600,000, bearing interest at the rate of 4½ percent per annum and maturing July 1, 1963, in exchange for the 11-month note in the same principal amount of Colorado now held by Utah. Colorado also proposes to issue and sell to Utah 15,000 shares of its $20 par value common stock for a cash consideration of $300,000. Colorado further proposes during the year 1952 to borrow from Utah not more than $500,000, such borrowings to be evidenced by Colorado's promissory note or notes bearing interest at the rate of 4 percent per annum and maturing not more than 11 months from the date thereof. Proceeds from the loan proposed to be made by Utah to Colorado, and from the sale of common stock will be used in connection with the construction program of Colorado which is estimated to require the expenditure of approximately $843,000 during the year 1952.

Notice is further given that any interested person may, not later than March 4, 1952 at 5:30 p. m., request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street, NW., Washington 25, D. C. At any time after said date said application-declaration, as filed, or as amended, may be granted and permitted to become effective as provided by Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said application-declaration which is on file with this Commission for a full statement of the transactions therein proposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-2261; Filed, Feb. 27, 1952; 8:46 a. m.]

[File No. 70-2800]

NEW ENGLAND ELECTRIC SYSTEM ET AL.

NOTICE OF PROPOSED NOTE ISSUES

FEBRUARY 21, 1952.

In the matter of New England Electric System, Attleboro Steam and Electric Company, Beverly Gas and Electric Company, Gloucester Electric Company, Haverhill Electric Company, Malden Electric Company, Northampton Electric Lighting Company, Norwood Gas Company, Southern Berkshire Power and Electric Company, Weymouth Light and Power Company; file No. 70-2800.

Notice is hereby given that New England Electric System ("NEES"), a registered holding company, and its above-named public utility subsidiary companies, hereinafter individually referred to as "Attleboro", Beverly", "Gloucester", "Haverhill", "Malden", "Northampton", "Norwood", "Southern Berkshire" and "Weymouth" and collectively referred to as "the borrowing companies", have filed applications-declarations pursuant to the Public Utility Holding Company Act of 1935 and have designated sections 6 (a), 7, 9 (a), 10, and 12 of the act and Rules U-23, U-43 (a), and U-45 (a) thereunder as applicable to the proposed transactions, which are summarized as follows:

The borrowing companies propose to issue to NEES, from time to time but not later than March 31, 1952, unsecured promissory notes in an aggregate face amount up to but not exceeding $5,635,000. Said notes will mature December 1, 1952, and will bear interest at the prime interest rate charged by banks on similar notes at the time said notes are issued to NEES. It is stated in the applications-declarations that at the present time the prime interest rate paid by banks on notes similar to those proposed to be issued is 3 percent per annum. It is further stated that if said prime interest rate is in excess of 3¼

percent at the time any of the proposed notes are to be issued, NEES and the specific borrowing company will file an appropriate amendment to this filing setting forth therein the amount of the proposed note and the proposed rate of interest thereon at least five days prior to the issuance of such note and NEES and the borrowing companies request that unless the Commission notifies it and the borrowing companies to the contrary within said five-day period, the amendment shall become effective at the end of such period. The applications-declarations indicate that the proposed notes may be prepaid, in whole or in part, prior to maturity without payment of a premium.

The following table shows the aggregate maximum amount of promissory notes proposed to be issued by each of the borrowing companies during the period from January 1, 1952 to March 31, 1952:

Company:	*Aggregate amount of notes proposed to be issued to NEES*
Attleboro	$275,000
Beverly	1,875,000
Gloucester	505,000
Haverhill	450,000
Malden	1,000,000
Northampton	175,000
Norwood	50,000
Southern Berkshire	805,000
Weymouth	500,000
	5,635,000

The applications-declarations further state that the proceeds of the notes proposed to be issued are to be used by the borrowing companies to pay presently outstanding notes payable to NEES in the aggregate face amount of $5,210,000. The remainder of the proceeds of the proposed notes in the aggregate face amount of $425,000 is to be used by Attleboro ($75,000), Beverly ($300,000) and Northampton ($50,000) to finance temporarily construction and conversion costs and to reimburse said companies' treasuries for prior construction and conversion costs. Upon the completion of the proposed borrowings, the only interest bearing debt of the borrowing companies will be unsecured promissory notes payable to NEES.

The applications-declarations further state that incidental services in connection with the proposed transactions will be performed at cost by New England Power Service Company, an affiliated service company, such cost being estimated not to exceed $100 for NEES and each of the borrowing companies, or an aggregate of $1,000.

The applications-declarations further state that no State commission or Federal commission, other than this Commission has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than March 6, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter stating the nature of his interest, the reason for such request and the issues, of fact or law, if any, proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. At any time after said date, said applications-declarations, as filed or as amended, may be granted or permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed to: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-2262; Filed, Feb. 27, 1952; 8:47 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of the Administrator

[Determination 96]

FORT MEADE-LAUREL, MARYLAND, CRITICAL DEFENSE HOUSING AREA

APPROVAL OF EXTENT OF RELAXATION OF CREDIT CONTROLS

SECTION 1. *Authority.* This action is taken pursuant to the authority conferred by the Housing and Rent Act of 1947, as amended (Pub. Law 129, 80th Cong., as amended by Pub. Laws 422 and 464, 80th Cong.; Pub. Laws 31, 574 and 880, 81st Cong.; and Pub. Laws 8, 69 and 96, 82d Cong.); and more particularly Section 204 (m) of Public Law 96; and the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong.; as amended by Pub. Law 96, 82d Cong.); and Executive Order 10161 of September 9, 1950, and Executive Order 10276 of July 31, 1951; and as implemented by Economic Stabilization Agency Order No. 9 of July 31, 1951.

SEC. 2. *Determination.* In view of the joint determination and certification by the Acting Secretary of Defense and the Director of Defense Mobilization, dated February 18, 1952, that the Fort Meade-Laurel, Maryland, area (this area consists of Districts 10 and 14 in Prince Georges County and Districts 4 and 5 in Anne Arundel County; all in Maryland) is a critical defense housing area, and in view of the defense housing program announced for the said area on November 21, 1951, by the Administrator of the Housing and Home Finance Agency, with the concurrence of the Board of Governors of the Federal Reserve System, it is hereby determined, after due consideration of relevant factors, that real estate construction credit controls have been relaxed in the Fort Meade-Laurel, Maryland, critical defense housing area to the extent necessary to encourage construction of housing for defense workers and military personnel.

ROSS S. SHEARER, *Acting Administrator.*

FEBRUARY 20, 1952.

[F. R. Doc. 52-2275; Filed, Feb. 27, 1952; 8:49 a. m.]

Office of Price Stabilization

[Ceiling Price Regulation 9, S. R. 3, Special Order 5]

GRUEN WATCH CO.

CEILING PRICES AT RETAIL

Statement of considerations. This order establishes uniform retail ceiling prices for the sale of watches manufactured by the Gruen Watch Co., under the trade name "Gruen" in the Territory of Hawaii on the basis of an application filed by the Gruen Watch Co. under SR 3 to CPR 9. This supplementary regulation gives a manufacturer the right to apply for uniform retail ceiling prices for the sale in a territory or possession of an article or articles manufactured by him whenever it appears that the article or articles were sold at retail in that territory or possession at a substantially uniform price for the period immediately prior to January 26, 1951, and the Director of Price Stabilization has established a uniform retail ceiling price for sales of the article in the continental United States, and the ceiling prices proposed are no higher than the level of ceiling prices otherwise established under CPR 9.

By Delegation of Authority 7, Revised, the authority to establish uniform ceiling prices under this supplementary regulation has been vested in the Director of Region XIV.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to SR 3 to CPR 9, this special order is hereby issued.

1. The ceiling prices for the sale by any retailer in the Territory of Hawaii of watches manufactured by Gruen Watch Co., Time Hill, Cincinnati 6, Ohio, bearing the brand name "Gruen", are the retail prices listed in the application of Gruen Watch Co., dated December 6, 1951, filed with Region XIV of the Office of Price Stabilization. A list of such ceiling prices will be filed by the Region XIV office of the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of a receipt of a copy of this special order, with notice of prices annexed, but in no event later than March 1, 1952 no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than ceiling prices.

2. The applicant must annex a copy of this price list to a copy of this order and, within 15 days of the effective date of this order, supply 10 copies of the list and order to the Director of the Region XIV office of the Office of Price Stabilization and 1 copy to each retailer to whom the applicant had delivered an article covered by this order within the two-month period immediately preceding the issuing of this regulation. A copy of this special order and the attached list shall be sent to all other purchasers for sale at retail on or before the first delivery date after the effective date of this special order of any article covered by this regulation. In addition, the applicant must furnish the Director of Re-

gion XIV of the Office of Price Stabilization, Washington 25, D. C., a list of all retailers to whom this order and price list are sent within five days of mailing the orders. The list attached to this order, which must be furnished to sellers of the articles covered by this order, must be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailers' ceilings for articles of cost listed in column 1
$..... per..... {unit, dozen, etc.}	Terms {net, percent EOM., etc.} $.....

3. The applicant for this order must, within 60 days from the effective date of this order, pre-ticket all articles covered by it with the retail ceiling price in the following form:

OPS—CPR 9 SR 3
Ceiling Price $.....

4. Until such time as a retailer's entire stock is so ticketed, each retailer must comply with the posting and tagging requirements of CPR 9.

5. The applicant must file within 45 days of the expiration of the first six-month period following the effective date of this order and within 45 days of the expiration of each suocessive six-month period with the Director of Region XIV of the Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this regulation which he has delivered in that six-month period.

6. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Region XIV of the Office of Price Stabilization at any time.

Effective date. This special order shall become effective on February 21, 1952.

EDWARD J. FRIEDLANDER,
Acting Regional Director
Region XIV.

FEBRUARY 21, 1952.

[F. R. Doc. 52-2221; Filed, Feb. 21, 1952; 12:10 p. m.]

[Ceiling Price Regulation 83, Section 2, Special Order 14, Amdt. 1]

CHRYSLER CORP.

BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of considerations. Special Order 14 established a schedule of prices and charges pursuant to section 2 of Ceiling Price Regulation 83 for sellers of new 1952 model passenger automobiles manufactured by the Chrysler Corporation. Subsequent to the issuance of Special Order 14 the Chrysler Corporation has introduced a new line of automobiles to be known as the DeSoto Custom 8-cylinder line. Special Order 14 is, therefore, amended to include basic prices of the DeSoto Custom 8-cylinder automobiles and charges for extra special or optional equipment on the DeSoto Custom 8-cylinder line. Appendix "A" to Supplementary Order 14 is also amended to list the items of equipment which are standard on the Custom 8-cylinder line of DeSoto passenger automobiles.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 2 of Ceiling Price Regulation 83, this amendment to Special Order 14 is hereby issued.

1. The following basic prices, as defined in Ceiling Price Regulation 83, section 14, are added to the list of basic prices for "DeSoto Passenger Automobiles" contained in Special Order 14.

Custom 8-cylinder Series:	
4-door Sedan	$2,525
Club Coupe	2,505
Convertible Coupe	2,934
Sportsman	2,837
Station Wagon	3,113

2. The following charges for factory installed extra, special or optional equipment are added to the list of extra, special or optional equipment for DeSoto automobiles contained in Special Order 14:

Transmission, tiptoe shift with fluid torque drive (Custom 8-Cylinder)	$277.88
Window lifts, electric (Custom 8-cylinder 4-door Sedan and Station Wagon)	108.96
Window lifts, electric, all coupes, doors only (Custom 8-cylinder Coupes)	74.55
Window lifts, electric, doors and rear quarters (Custom 8-Cylinder Coupes)	131.91

3. The section of Appendix "A" which is entitled "DeSoto Passenger Automobiles" is amended to read as follows:

DESOTO PASSENGER AUTOMOBILES

Ash receiver on instrument panel	All.
Ash receiver in back of front seat	All sedans and Custom 8 Station Wagon.
Ash receiver in back of front seat (2)	Suburban.
Ash receiver in rear quarter (2)	Deluxe Club Coupe and Custom 4-door Sedan, Club Coupe and Sportsman and Custom 8 Club Coupe, Convertible Coupe and Sportsman
Ash receiver in rear arm rest (2)	8-passenger Sedan.
Back-up lights—dual	All.
Bumpers—front and rear	All.
Bumper guards—front and rear	All.
Bumper jack, wheel wrench, wheel block, pliers (1), screw driver (1)	All.
Cigar Lighter	All.
Carpet in front compartment	Custom and Custom 8 except Station Wagon.
Carpet in rear compartment	All except Station Wagons.
Coat hooks (2)	Sedans and Club Coupes.
Dual horns	All.
Dual tail lamps	All.
Directional signals	Custom and Custom 8.
Door holding checks on all doors	All.
Dual electric windshield wipers—2-speed	All.
Door cylinder locks—front door	All.
Extension, tail pipe	Custom 8 Convertible Coupe and Sportsman.
Fluid drive and tip-toe shift transmission	Custom 6 Cylinder only.
Front door arm rest (1)	DeLuxe.
Front door arm rest (2)	Custom and Custom 8.
Foamed latex seat cushion—front	All.
Foamed latex seat cushion—rear	All Custom and Custom 8 except Suburban and Station Wagon.
Glove box	All.
Glove box lock	All.
Grab handles (2)	All 8-passenger Sedans and Suburbans, Custom 4-door Sedans, and Custom 8 Sedans.
Horn blowing ring	All.
Inside sun visors—dual	All.
Luggage compartment floor mat	All except Station Wagons.
Oil bath air cleaner	All.
Oil filter, replaceable cartridge type	Custom 8.
Outside rear view mirror	Sedan Convertible Coupe, Sportsman and Suburban.
Rear fender stone shields	Custom and Custom 8.
Rubber mat in front compartment	DeLuxe and Station Wagon.
Rubber mat in rear compartment	Station Wagon.
Rear compartment side arm rests	4-door Sedans.
Rear compartment foot rest	Custom 8 Passenger Sedan.
Special plastic steering wheel	Custom and Custom 8 Convertible Coupe and Sportsman.
Shroud enclosed steering column	All.
Shock absorbers—oriflow type—1 inch	All.
Solenoid starting motor	All.
Spring covers	All.
Stainless steel wheel covers	Custom and Custom 8 Convertible Coupe and Sportsman.
Safety glass throughout except rear window of Convertible Coupe which is plastic.	All.
Tires, 7.60 x 15, 4 ply (5)	All except 8-passenger Sedan and Suburban.
Tires 8.20 x 15, 4 ply (5)	8-passenger Sedan and Suburban.

Effective date. This Amendment 1 to Special Order 14 shall become effective February 26, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 26, 1952.

[F. R. Doc. 52-2372; Filed, Feb. 26, 1952; 5:06 p. m.]

[Delegation of Authority 38, Amdt. 1]

REGIONAL DIRECTORS

DELEGATION OF AUTHORITY TO ACT UNDER CPR 101, AS AMENDED

By virtue of the authority vested in the Director of Price Stabilization, pursuant to the Defense Production Act of 1950, as amended (64 Stat. 798, 803; 65 Stat. 131), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2, as amended (16 F. R. 738, 11626), this Amendment 1 to Delegation of Authority 38 (16 F. R. 12299), is hereby issued.

Delegation of Authority 38 is amended by redesignating the present paragraph 2 as paragraph 3 and inserting a new paragraph 2 to read as follows:

2. Authority to act under section 12 of CPR 101, as amended. Authority is hereby delegated to the Directors of the Regional Offices of the Office of Price Stabilization to act under section 12 of CPR 101, as amended.

The authority hereby delegated may be redelegated to the Directors of the District Offices of the Office of Price Stabilization.

This Amendment 1 to Delegation of Authority No. 38 shall take effect on February 28, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

FEBRUARY 27, 1952.

[F. R. Doc. 52-2393; Filed, Feb. 27, 1952; 11:39 a. m.]

Wage Stabilization Board

[Resolution 64, Amdt. 4]

RESOLUTION 64—DELEGATION OF AUTHORITY TO REGIONAL BOARDS

SPECIAL CASE-PROCESSING PROCEDURES FOR SELECTED INDUSTRIES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), and General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), Resolution 64 (17 F. R. 54) is amended by adding a new section IV at the end thereof as follows:

IV. Special case-processing procedures for selected industries.

A. Tool and die: Subject to the limitations contained in sections I and II of this Resolution, all petitions and applications for approval of adjustments in wages, salaries or other compensation in the tool and die industry shall continue to be processed by the appropriate Regional Board.

B. Selected automobile companies:

1. All petitions and applications for approval of adjustments in wages, salaries or other compensation involving the following automobile companies, regardless of product: General Motors Corporation, Ford Motor Company, Chrysler Corporation, Chrysler Motor Parts Corporation, Hudson Motor Car Company, Nash-Kelvinator* Corporation, Packard Motor Car Company, Kaiser-Frazer Corporation, Briggs Manufacturing Company, Murray Corporation, and United Motors Service, Inc. shall be processed by, and the final decision vested in, the Detroit Regional Board. (Region VI-B), subject to review by the National Board. This delegation also applies to any operating division of any such company, e. g., Frigidaire Division of General Motors Corporation.

2. The authority to be exercised by the Detroit Regional Board is limited by sections I and II of this Resolution.

3. In exercising its jurisdiction over any plant of one of the above companies which is physically located in another region, the Detroit Regional Board shall, before deciding the case, consult with, and obtain the views of, the Regional Board which would normally exercise jurisdiction over such plant.

C. Textiles: All such cases involving companies in the textile industry in which the wage, salary or compensation adjustment follows the pattern of those approved by the National Board in the Fall River-New Bedford Association case (See WSB Press Release No. 85, dated 8-17-51), or in the American Woolen Company case (See WSB Press Release No. 97, dated 8-29-51), shall continue to be processed by the appropriate Regional Board. All other cases involving companies in the textile industry shall be forwarded to the National Board.

For the purpose of this paragraph C, the textile industry shall be deemed to include both specialized and integrated establishments engaged in the manufacture of yarn, thread; fabrics, and textile products from the following fibres: wool; cotton; flax; silk; rayon and other synthetic fibres; and other like natural or synthetic fibers. Such establishments include but are not limited to: woolen and worsted mills, yarn and thread mills; narrow and broad woven fabric mills; knitting fabric mills; intermediate processing mills; and dyeing and finishing plants.

Unanimously adopted by the Wage Stabilization Board January 24, 1952.

NATHAN P. FEINSINGER,
Chairman.

[F. R. Doc. 52-2279; Filed, Feb. 27, 1952; 8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26830]

PETROLEUM FROM SOUTHWEST AND KANSAS, TO STERLING, ILL.

APPLICATION FOR RELIEF

FEBRUARY 25, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3825.

Commodities involved: Petroleum and petroleum products, tank-car loads.

From: Points in the Southwest and Kansas.

To: Sterling, Ill., and points grouped therewith.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3825, Supp. 125.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-2269; Filed, Feb. 27, 1952; 8:48 a. m.]

[4th Sec. Application 26831]

VARIOUS COMMODITIES BETWEEN POINTS IN TEXAS

APPLICATION FOR RELIEF

FEBRUARY 25, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Lee Douglass, Agent, for carriers parties to his tariff I. C. C. No. 666.

Commodities involved: Animal grease or tallow, ammoniacal liquor, cotton piece goods, and various other commodities.

Between: Points in Texas.

Grounds for relief: Competition with rail carriers, circuitous routes, and to meet intrastate rates.

Schedules filed containing proposed rates: Lee Douglass' tariff I. C. C. No. 666, Supp. 159.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expira-

tion of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2270; Filed, Feb. 27, 1952; 8:48 a. m.]

[4th Sec. Application 26832]

GRAIN FROM CLAYTON, N. MEX., TO TEXLINE, TEX.

APPLICATION FOR RELIEF

FEBRUARY 25, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The Colorado and Southern Railway Company, for itself and on behalf of carriers parties to its tariff I. C. C. No. 1768.

Commodities involved: Grain and grain products, carloads.

From: Clayton, N. Mex.

To: Texline, Tex., when for beyond.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates: C. & S. Ry. tariff I. C. C. No. 1768, Supp. 2.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2271; Filed, Feb. 27, 1952; 8:48 a. m.]

[4th Sec. Application 26833]

ASPHALT FILLER FROM CHATSWORTH, GA., TO OFFICIAL AND ILLINOIS TERRITORIES

APPLICATION FOR RELIEF

FEBRUARY 25, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariffs I. C. C. Nos. 1172 and 1193.

Commodities involved: Asphalt filler, consisting of pulverized soapstone or pulverized talc tailings, carloads.

From: Chatsworth, Ga.

To: Points in official and Illinois territories.

Grounds for relief: Competition with rail carriers, circuitous routes, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1172, Supp. 84; C. A. Spaninger's tariff I. C. C. No. 1193, Supp. 43.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2272; Filed, Feb. 27, 1952; 8:48 a. m.]

[4th Sec. Application 26834]

ALL COMMODITIES BETWEEN SPRINGFIELD, MASS., AND HARLEM RIVER, N. Y.

APPLICATION FOR RELIEF

FEBRUARY 25, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The New York, New Haven and Hartford Railroad Company and Dorre Trucking Company.

Commodities involved: All commodities, carloads.

Between Springfield, Mass., on the one hand, and Harlem River, N. Y. on the other.

Grounds for relief: Competition with motor carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2273; Filed, Feb. 27, 1952; 8:48 a. m.]

[4th Sec. Application 26835]

PAPER FROM EAST PORT AND EASTPORT JUNCTION, FLA., TO OFFICIAL TERRITORY

APPLICATION FOR RELIEF

FEBRUARY 25, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1201.

Commodities involved: Paper and paper articles, carloads.

From: East Port and Eastport Junction, Fla.

To: Points in official territory.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1201, Supp. 51.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-2274; Filed, Feb. 27, 1952; 8:49 a. m.]